

Fundamental Concepts Regarding Al-Jihād

لِلشِّيْخِ عَبْدِ الْقَادِرِ بْنِ عَبْدِ الْعَزِيزِ

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Translator's Introduction:

From the book: “*Al-‘Umdah Fī I‘dād Al-‘Uddah Lil-Jihādi Fī Sabīl-Illāhi Ta‘āla*.” Chapter: “*Ma‘ālim Asāsiyyah Fil-Jihād*”, pages 274-346. One thing to keep in mind, is that since this is a chapter from a book, the *Shaykh* sometimes refers to other chapters in the book that were before this one, or to ones that are coming after this one, so when reading this book, don’t be confused by that.

Author's Introduction

If the holding steadfast to the Book and the *Sunnah* preserves this religion upon its established principles and protects it from the playing of those who attribute themselves to it, then the *Jihād* repels from this religion and its people, the harm of those who wage war against it and rebel against it. And they were both combined in the verse of *Al-Hadīd*:

Indeed We have sent our Messengers with clear proofs, and revealed with them the Scripture and the Balance (justice) that mankind may keep up justice. And We brought forth iron wherein is mighty power (in matters of war), as well as many benefits for mankind, that Allāh may test who it is that will help Him (His religion), and His Messengers in the unseen. Verily, Allah is All-Strong, All-Mighty.¹

¹ *Sūrat Al-Hadīd*, 25

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Ibn Taymiyyah, may Allāh be merciful to him, said, “And the religion will not be upheld except with the Book and the Balance and the Iron, which supports it.”² And he, may Allāh be merciful to him, repeated these words in numerous places, which I have pointed out previously.

And I will mention here, by the permission of Allāh, the Most High, concepts, which cover the motivations for the *Jihād* and its goals and its importance in establishing the religion. And some of these concepts – particularly the first five – in reality, are part of the belief (*‘Aqīdah*) of the Muslims, which concern the Judgment of Allāh in His Decree (*Qadr*). And they are concepts, which the Muslim must bring together in order to comprehend the basis of his struggle against the disbelievers and the goal from his *Jihād* and his fighting. And it is possible for us to label these concepts as the “*Jihād*-oriented belief (*‘Aqīdah*) for the Muslims”.

So any army – even if it is a disbelieving one – must have a belief (*‘Aqīdah*), the fundamentals for which, it conflicts with the others. And due to this, the branch of Moral Direction is one of the main branches of any army, even if its name differs (from one army to another). And the duty of this branch is to embed this belief (*‘Aqīdah*) in the minds of the soldiers; even the atheists and the secularist armies form for themselves a motivational creed from the whispers of the devils (*Shayātīn*).

See you not that We have sent the *Shayātīn* (devils) against the disbelievers to push them to do evil.³

² “*Majmū’ Al-Fatāwa*”, Vol. 35/36

³ *Sūrat Maryam*, 83

Such as the conquering of their race over all other races, and like the spreading of their foundations and their civilization amongst the people, or the defense of their land and the nationalism and the likes of that, from what they use to motivate their soldiers to fight for.

And these creeds; for any army – whether it is a believing one or a disbelieving one – drives towards one goal, which is that the fighting soldier believes that he is upon the truth and that his enemy is upon falsehood and therefore he is obligated to fight him. Look at what ‘Umar Ibn Al-Khattāb, may Allāh be pleased with him, said to the Prophet ﷺ on the Day of Hudaybiyah. ‘Umar said, “Are we not upon the truth while our enemy is upon the falsehood?” He ﷺ said, “*Of course.*” – Narrated by Al-Bukhārī.⁴ And look also to the belief of the disbelievers that they were upon the truth, in His, the Most High’s, statement:

They said: “Verily! These are two magicians. Their object is to drive you out from your land with magic, and do away with your best path.”⁵

As for our belief concerning *Jihād*, as Muslims, then it is summed up in what follows: Allāh, Majestic be His stature, created the creation and commanded all of them to worship Him with a *Shari’ah*-oriented command upon the tongues of His Messengers. Then from them (i.e. the people) were those who believed and

⁴ *Hadīth* #2,731 & #2,732

⁵ *Sūrat Ta Ha*, 63

from them were those who disbelieved. And this is how He, Glory be to Him, willed a decree that His creation would divide into those who believe in Him and those who disbelieve. Then Allāh, Glory be to Him, empowers the two groups; one over the other. He, the Most High, said:

And We have made some of you as a trial for others: will you have patience? ⁶

So He, Glory be to Him, empowered the disbelievers over the believers with the command of Decree (*Qadr*) so they create turmoil (*Fitnah*) for them and fight them. And He, Glory be to Him, empowered the believers over the disbelievers with a *Shari'ah*-oriented command. They call them to the guidance, and then whoever refuses is fought upon that so that the Word of Allāh is the highest and the religion is completely for Allāh, and so that nothing on the Earth is worshipped except Allāh, alone; with no partner. So the struggle of the believer against the disbeliever is only for the realization of ‘*Lā ilāha il-Allāh*’, as the Messenger of Allāh said, “*I was ordered to fight the people until they bear witness that there is no deity worthy of worship but Allāh and that Muhammad is the Messenger of Allāh.*” ⁷ And he

said, “*I was sent before the hour with the sword so that Allāh is worshipped alone with no partners with Him.*” ⁸ So the *Jihād* is a means for the actualization of the *Tawhīd*. And likewise, the Master (i.e. Allāh), Glory be to Him, wanted for this worldly

⁶ *Sūrat Al-Furqān*, 20

⁷ Agreed upon (i.e. Al-Bukhārī and Muslim)

⁸ Narrated by Ahmad from Ibn ‘Umar

life (*Dunyā*) to be a test wherein He tests His creation so that He will recompense them based upon their actions, on the Day of Resurrection. He, the Most High, said:

Thus, but if it had been Allāh's Will, He Himself could certainly have punished them (without you). But (He lets you fight), in order to test you, some with others.⁹

And He, the Most High, said:

And warn of the Day of Assembling, of which there is no doubt, when a party will be in Paradise and a party in the blazing Fire (Hell). And if Allāh had willed, He could have made them one nation, but He admits whom He wills to His Mercy. And the *Thālimūn* (polytheists and wrong-doers, etc.) will have neither a *Wālī* (protector) nor a helper.¹⁰

And those ones (i.e. the disbelievers) as well as the others (i.e. the believers) are all His creation and His slaves, either voluntarily or forcefully; their forelocks are in His Hand. His judgment is just regarding them and we are believers in His judgment and His decree and certain in His wisdom. And (we are) obedient to His *Shari'ah*-based command, Glory be to Him, the Most High. He will not be questioned about that which He does, while they will be questioned.

⁹ *Sūrat Muhammad*, 4

¹⁰ *Sūrat Ash-Shūra*, 7-8

And we shall explain what has passed in some detail, within a number of sections, as follows:

Section 1: The Purpose of the Creation

Allāh, the Most High, said:

And I (Allāh) created not the *Jinns* and humans except they should worship Me (Alone).¹¹

And the worship is the embodiment of that which Allāh legislated upon the tongues of His Messengers, upon whom be peace, and there is no nation from the creation of Allāh, except that He sent a Messenger to it. He, the Most High, said:

And verily, We have sent among every *Ummah* (community, nation) a Messenger (proclaiming): “Worship Allāh (Alone), and avoid (or keep away from) *Tāghūt*.”¹²

And He, the Most High, said:

¹¹ *Sūrat Ath-Thāriyāt*, 56

¹² *Sūrat An-Nahl*, 36

And there never was a nation but a warner had passed among them.¹³

This is so that the proof (*Hujjah*) of Allāh, the Most High, will be established upon His creation from the time of Ādam until the Day of Resurrection. He, the Most High, said:

Messengers as bearers of good news as well as of warning in order that mankind should have no plea against Allāh after the Messengers.¹⁴

And the Messenger was sent in the origin of His nation, which lived in the same time as him. Then his followers from the people of knowledge conveyed his Message after him. He, the Most High, said:

And never will your Lord destroy the towns (populations) until He sends to their mother town a Messenger reciting to them Our Verses.¹⁵

Then after his death, his followers were entrusted with the conveyance so that the proof (*Hujjah*) of Allāh, the Most High, would not be cut off from His creation, just as our Messenger

used to say, “*The present one from you must convey to*

¹³ *Sūrat Fātir*, 24

¹⁴ *Sūrat An-Nisā'*, 165

¹⁵ *Sūrat Al-Qasas*, 59

the absent one.” And he said, “Convey from me, even if it is one verse.” And he said, “The scholars are the inheritors of the Prophets.” And he said, “There will not cease to be an assembly (Tā’ifah) from my nation, established upon the command of Allāh.” And all of these Hadīths are authentic.

And the command for the worship is a *Shari’ah*-based command. In other words, Allāh has legislated it upon the tongues of His Messengers. And it is called the *Shari’ah*-based, religion-oriented will. And it is not necessary that all of the creation respond to it, as Allāh, Glory be to Him, created the creation for His worship and ordered them with that, upon the tongues of His Messengers. Then the creation might worship Him or they might not worship Him.

Section 2: The Creation Dividing into Believers and Disbelievers

He, the Most High, said:

And if your Lord had so willed, He could surely have made mankind one *Ummah*, but they will not cease to disagree. Except him on whom your Lord has bestowed His Mercy and for that did He create them.¹⁶

In other words, He, Glory be to Him, created them to differ in their religions and their beliefs and their views. And this is the well

¹⁶ *Sūrat Hūd*, 118 - 119

known, correct (opinion) from the interpretation (*Tafsīr*), as Ibn Kathīr said.¹⁷

And He, the Most High, said:

Truly! Those, against whom the Word (Wrath) of your Lord has been justified, will not believe. Even if every sign should come to them.

Until His, the Most High's, statement:

And had your Lord willed, those on earth would have believed, all of them together. So, will you then compel mankind, until they become believers?¹⁸

So Allāh, the Majestic, the Most High, willed that His creation would divide into those who believe in Him and disbelievers; the decreed, universal will, which cannot be contradicted.

He, the Most High, said:

Verily, His Command, when He intends a thing, is only that He says to it, “Be!” and it is!¹⁹

¹⁷ “*Tafsīr Ibn Kathīr*”, Vol. 2/465

¹⁸ *Sūrat Yūnus*, 96 - 99

¹⁹ *Sūrat Ya Sīn*, 82

And He, the Most High, said:

And the command of Allāh is a decree determined.²⁰

So the creation divided into believers and disbelievers as He, the Most High, said:

He it is Who created you, then some of you are disbelievers and some of you are believers.²¹

And that came after they (i.e. the creation) were all believers together, since the time of Ādam, peace be upon him, until the polytheism (*Shirk*) occurred in the descendants of Ādam, as He, the Most High said:

Mankind was but one community, then they differed (later).²²

Ibn Kathīr said, “Ibn ‘Abbās said, ‘Between Ādam and Nūh, there were ten generations; all of them were upon *Islām*. Then the dispute occurred between the people, and the statues and the intermediaries and the idols were worshipped. So Allāh sent the Messengers with His signs and His clarifications and His complete proofs and irrefutable evidences: ...so that those who were to be

²⁰ *Sūrat Al-Ah’zāb*, 38

²¹ *Sūrat At-Taghābun*, 2

²² *Sūrat Yūnus*, 19

destroyed (for their rejecting the Faith) might be destroyed after a clear evidence, and those who were to live (i.e. believers) might live after a clear evidence.²³

I say: Then when the disbelief (*Kufr*) occurred in the children of Ādam, the Messengers were sent, as He, the Most High, said:

Mankind were one community and Allāh sent Prophets with glad tidings and warnings, and with them He sent the Scripture in truth to judge between people in matters wherein they differed.²⁴

Yet despite Allāh's sending His Messengers with the clear evidences and proofs, the decreed dispute occurred and the people divided into believers and disbelievers. And the fighting occurred between both groups, as He, the Most High, said:

Those Messengers! We preferred some to others...

Until His, the Most High's, statement:

²³ **Trans. Note:** *Sūrat Al-Anfāl*, 42

²⁴ *Sūrat Al-Baqarah*, 213

If Allah had willed, succeeding generations would not have fought against each other, after clear Verses of Allah had come to them, but they differed - some of them believed and others disbelieved. If Allah had willed, they would not have fought against one another, but Allah does what He likes²⁵

And there were no Messengers, except that there would be a group who disbelieved in him. The Messenger of Allāh even said about some of the Prophets, on the Day of Resurrection, “*And a Prophet will come who has no one with him.*”²⁶ And Allāh, the Most High, relates to us some examples of this. He, the Most High, said:

And indeed We sent to Thamūd their brother Sālih, saying: “Worship Allāh (Alone and none else). Then look! They became two parties (believers and disbelievers) quarreling with each other.”²⁷

Then when he called them to the worship of Allāh, alone, they divided into two groups and the dispute took place between them, and so on until Allāh sealed (the Message) with Muhammad

. Then the people divided, due to him, into believers and disbelievers as it has come in the *Hadīth*: “*And Muhammad is a divider between the people.*”²⁸ And this will stay until the Day of Resurrection.

²⁵ *Sūrat Al-Baqarah*, 253

²⁶ Agreed upon from the *Hadīth* of Ibn ‘Abbās

²⁷ *Sūrat An-Naml*, 45

²⁸ Narrated by Al-Bukhārī from Jābir

And despite how Allāh, the Most High, has willed in the decree that the creation would divide into believers and disbelievers, and that this must take place, we believe that the creation will be held accountable for their actions, which they, themselves, committed. He, the Most High, said:

And you will be requited nothing except for what you used to do.²⁹

And we also believe that Allāh does not wrong anyone. He, the Most High, said:

Truly! Allāh wrongs not mankind in aught; but mankind wrong themselves.³⁰

And from the *Hadīth Qudsī*: “*O my slaves, verily I have forbidden the wrongdoing upon myself and made it forbidden amongst you. So do not do wrong.*”³¹

Section 3: And with the Division of the Creation into Believers and Disbelievers, the Enmity Formed Between Them

He, the Most High, said:

²⁹ *Sūrat As-Sāffāt*, 39

³⁰ *Sūrat Yūnus*, 44

³¹ Narrated by Muslim from Abī Tharr, may Allāh be pleased with him

And indeed We sent to Thamūd their brother Sālih, saying: “Worship Allāh (Alone and none else). Then look! They became two parties (believers and disbelievers) quarreling with each other.”³²

And He, the Most High, said:

These two opponents (believers and disbelievers) dispute with each other about their Lord.³³

And He, the Most High said:

Verily, the disbelievers are ever unto you open enemies.³⁴

And with this enmity, Allāh, the Most High, tests both groups, as He, the Most High, said:

Thus, but if it had been Allāh's Will, He Himself could certainly have punished them (without you). But (He lets you fight), in order to test you, some with others.³⁵

³² *Sūrat An-Naml*, 45

³³ *Sūrat Al-Hajj*, 19

³⁴ *Sūrat An-Nisā'*, 101

³⁵ *Sūrat Muhammad*, 4

And He, the Most High, said:

And surely, We shall try you till We test those who are *Mujāhidīn* from you and the patient ones, and We shall test your facts.³⁶

And the verses concerning this tradition of trials are numerous and we have pointed some of them out previously and the text has been clearly narrated concerning this tradition; the tradition of the trials in Allāh, the Most High's, statement to His Prophet :

*“Verily, I have only sent you to test you and to test (others) with you.”*³⁷ An-Nawawī said in his explanation, “His, Glory be to Him, the Most High's, statement: *‘Verily, I have only sent you to test you and to test (others) with you.’* Its meaning is, ‘I will test you through that which becomes apparent from you, from your establishing that which I ordered you with from the conveyance of the Message and other than that from the *Jihād* for Allāh with the *Jihād* which He deserves and being patient for Allāh, the Most High, and other than that. And I shall test with you, those to whom I have sent you. Then from them will be those who their faith (*Imān*) is shown and their faith (*Imān*) is sincere and are sincere to Him in His obedience and those who remain behind and became permanent with the enmity and the disbelief (*Kufr*) and those who become Hypocrites.’ And the meaning is that He will test him, so that it will become a reality and shown, as Allāh, the Most High, only punishes the slaves upon that which took place from them; not upon that which He knew prior to its occurrence. Otherwise, He, Glory be to Him, knows all of the things before they occur and

³⁶ *Sūrat Muhammād*, 31

³⁷ Narrated by Muslim from ‘Iyādh Ibn Himār

this is like His statement: **And surely, We shall try you till We test those who are *Mujāhidīn* from you and the patient ones.**³⁸ In other words, ‘We know those who acting upon that and who are described as that.’³⁹

Section 4: And Allāh, Majestic is His Stature, Empowers the Disbelievers Over the Believers Through a Decreed Empowerment

‘A decreed empowerment’; in other words, not a legislation-based one as He did not command them upon the tongues of His Messengers to have enmity towards the believers or to fight them. Rather He commanded them with the worship and the obedience. So their empowerment over the believers is in the decree whereas the empowerment of the believers over them (i.e. the disbelievers) is in the legislation (*Shara'*), which complies with the decree.

He, the Most High, said:

Thus have We set up for every Prophet an enemy among the *Mujrimīn* (disbelievers, polytheists, criminals, etc.).⁴⁰

And He, the Most High, said:

³⁸ **Trans. Note:** *Sūrat Muhammād*, 31

³⁹ “*Sahīh Muslim Bi Sharh 'An-Nawawī*”, Vol. 17/198

⁴⁰ *Sūrat Al-Furqān*, 31

And so We have set up for every Prophet enemies - *Shayātīn* (devils) among mankind and *Jinns*.⁴¹

And He, the Most High, said:

And thus We have set up in every town great ones of its wicked people to plot therein.⁴²

And this setting up: **We have set up...** in these three verses, is a decreed setting up.

And the types of enmity of the disbelievers towards the believers do not change in their guarantee by the alternation of the Messengers and the nations and eras. And due to that, Allāh, the Most High, said:

Nothing is said to you except what was said to the Messengers before you.⁴³

And He, the Most High, said:

So said the people before them words of similar import. Their hearts are alike...

⁴¹ *Sūrat Al-An’ām*, 112

⁴² *Sūrat Al-An’ām*, 123

⁴³ *Sūrat Fussilat*, 43

And He, the Most High, said:

Likewise, no Messenger came to those before them, but they said: "A sorcerer or a madman! Have they (the people of the past) transmitted this saying to these (Quraysh pagans)? Nay, they are themselves a people transgressing beyond bounds (in disbelief)! ⁴⁴

And from the types of the enmity towards the believers:

- The inner disbelief (*Tak ib |*). He, the Most High, said:

Verily, (many) Messengers were denied before you, but they were patient... ⁴⁵

- The mocking (*Istihzā'*) and the making fun (*Sukhriyah*). He, the Most High, said:

Verily! (During the worldly life) those who committed crimes used to laugh at those who believed. ⁴⁶

⁴⁴ *Sūrat Ath-Thāriyāt*, 52 - 53

⁴⁵ *Sūrat Al-An'ām*, 34

⁴⁶ *Sūrat Al-Mutaffiñ*, 29

And He, the Most High, said:

Alas for mankind! There never came a Messenger to them but they used to mock at him.⁴⁷

- Accusing the believers with madness (*Junūn*). He, the Most High, said:

And they say: “O you to whom the *Thikr* (the *Qur'ān*) has been sent down! Verily, you are a mad man.”⁴⁸

- Accusing the believers of seeking the dominion (*Riyāsah*) and the ruling (*Hukm*). He, the Most High, said:

They said: “Have you come to us to turn us away from that (Faith) we found our fathers following, - and that you two may have greatness in the land?”⁴⁹

- Accusing the believers of making mischief (*Fasād*) in the Earth and changing the religion. He, the Most High, said:

⁴⁷ *Sūrat Ya Sīn*, 30

⁴⁸ *Sūrat Al-Hijr*, 6

⁴⁹ *Sūrat Yūnus*, 78

Fir'awn (Pharaoh) said: “Leave me to kill Mūsa (Moses), and let him call his Lord (to stop me from killing him)! I fear that he may change your religion, or that he may cause mischief to appear in the land!”⁵⁰

- Reviling the believers due to their weakness and their poverty. He, the Most High, said:

They said: “Shall we believe in you, when the poorest (of the people) follow you?”⁵¹

And that is so they can disperse the people away from them. And He, the Most High, said:

Those who disbelieve say to those who believe: “Which of the two groups (i.e. believers and disbelievers) is best in (point of) position and as regards status?”⁵²

- The claiming of evil omens against the believers and that their values bring evil and division and poverty and the likes of that. He, the Most High, said:

⁵⁰ *Sūrat Ghāfir*, 26

⁵¹ *Sūrat Ash-Shu'arā'*, 111

⁵² *Sūrat Maryam*, 73

They (people) said: “For us, we see an evil omen from you, if you cease not, we will surely stone you...”⁵³

- Arguing with the falsehood in order to reject the truth and misguide the people. He, the Most High, said:

But those who disbelieve, dispute with false argument, in order to refute the truth thereby. And they treat My *Āyāt*, and that with which they are warned, as jest and mockery!⁵⁴

And included in this are their doubts, which are (used) to block the way to the Path of Allāh.

- Inciting the general masses against the believers. He, the Most High, said:

The chiefs of those who disbelieved among his people said (to their people): “If you follow Shu'ayb, be sure then you will be the losers!”⁵⁵

And He, the Most High, said:

⁵³ *Sūrat Ya Sīn*, 18

⁵⁴ *Sūrat Al-Kah'f*, 56

⁵⁵ *Sūrat Al-A'rāf*, 90

“I fear that he may change your religion, or that he may cause mischief to appear in the land!”⁵⁶

- Accusing the believers as being the minority who wish to impose their views upon the majority. He, the Most High, said:

Then Fir’awn (Pharaoh) sent callers to (all) the cities (saying): “Verily! These indeed are but a small band. And verily, they have done what has enraged us. But we are a host all assembled, amply fore-warned.”⁵⁷

- Their declaration that what they are upon in disbelief (*Kufr*) is better than the True Religion. He, the Most High, said:

Fir’awn (Pharaoh) said: “I show you only that which I see (correct), and I guide you only to the path of right policy!”⁵⁸

And He, the Most High, said:

They said: “Verily! These are two magicians. Their object is to drive you out from your land with magic, and do away with your best path.”⁵⁹

⁵⁶ *Sūrat Ghāfir*, 26

⁵⁷ *Sūrat Ash-Shu’arah*, 53-56

⁵⁸ *Sūrat Ghāfir*, 29

⁵⁹ *Sūrat Ta Ha*, 63

And He, the Most High, said:

Then when their Messengers came to them with clear proofs, they were glad (and proud) with that which they had of the knowledge.⁶⁰

- Deceiving the general masses in order to divert them from following the believers, using numerous methods of plotting. He, the Most High, said:

Those who were deemed weak will say to those who were arrogant: “Nay, but it was your plotting by night and day, when you ordered us to disbelieve in Allāh and set up rivals to Him!” And each of them (parties) will conceal their own regrets (for disobeying Allāh during this worldly life), when they behold the torment. And We shall put iron collars round the necks of those who disbelieved. Are they requited aught except what they used to do?⁶¹

- Starving the believers in order to dissuade them from their religion. He, the Most High, said:

⁶⁰ *Sūrat Ghāfir*, 83

⁶¹ *Sūrat Saba'*, 33

They are the ones who say: “Spend not on those who are with Allāh's Messenger, until they desert him.” And to Allāh belong the treasures of the heavens and the earth, but the hypocrites comprehend not.⁶²

- Trying to cause turmoil (*Fitnah*) for the believers to dissuade them from their religion. He, the Most High, said:

They wish that you should compromise (in religion out of courtesy) with them, so they (too) would compromise with you.⁶³

And He, the Most High, said:

...but beware of them lest they turn you far away from some of that which Allāh has sent down to you.⁶⁴

And the disbelievers do not request that the believers step down from some of the truth, except (it is suggested) as a temporary stage, because they are (truly) never pleased with the believers until they fully step down from the truth. He, the Most High, said:

⁶² *Sūrat Al-Munāfiqūn*, 7

⁶³ *Sūrat Al-Qalam*, 9

⁶⁴ *Sūrat Al-Mā' idah*, 49

Never will the Jews nor the Christians be pleased with you till you follow their religion.⁶⁵

- Threatening the believers with imprisonment and execution if they do not turn back from their religion and to comply with the disbelievers in some of what they are upon. He, the Most High, said:

And those who disbelieved, said to their Messengers: “Surely, we shall drive you out of our land, or you shall return to our religion.”⁶⁶

And He, the Most High, said:

“For if they come to know of you, they will stone you (to death or abuse and harm you) or turn you back to their religion, and in that case you will never be successful.”⁶⁷

- The torturing and the killing and the fighting. He, the Most High, said:

They said: “Burn him and help your *Ālihah* (gods)...”⁶⁸

⁶⁵ *Sūrat Al-Baqarah*, 120

⁶⁶ *Sūrat Ibrāhīm*, 13

⁶⁷ *Sūrat Al-Kah’f*, 20

He, the Most High, said:

And (remember) when the disbelievers plotted against you to imprison you, or to kill you, or to get you out (from your home, i.e. Makkah)...⁶⁹

And He, the Most High, said:

And they will never cease fighting you until they turn you back from your religion if they can.⁷⁰

And from what has passed, you see, O my Muslim brother, that the methods of the disbelievers in waging war against the believers are set and they do not change. He, the Most High, said:

Have they (the people of the past) transmitted this saying to these (Quraysh pagans)?⁷¹

And from that which must be comprehended, is that they wage war against the believer, due to his faith (*Īmān*). As He, the Most High, said:

⁶⁸ *Sūrat Al-Anbiyā'*, 68

⁶⁹ *Sūrat Al-Anfāl*, 30

⁷⁰ *Sūrat Al-Baqarah*, 217

⁷¹ *Sūrat Ath-Thāriyāt*, 53

And they witnessed what they were doing against the believers. They had nothing against them, except that they believed in Allāh, the All-Mighty, Worthy of all Praise! ⁷²

And He, the Most High, said:

They wish that you reject Faith, as they have rejected (Faith), and thus that you all become equal (like one another). ⁷³

So the disbeliever (*Kāfir*) takes the believer as an enemy due to his belief. And the more the faith (*Īmān*) of the slave increases, then the more his share of the enmity of the disbelievers will increase. And due to this, the Messenger of Allāh said, “*The most severely tested people are the Prophets, then nearest (in level) and then the nearest (in level). The man will be tested according to his religion.*” – the *Hadīth*. ⁷⁴ And this is understood by the slave himself as the more his faith (*Īmān*) increases, his hatred for the disbelievers and the disobedient ones, also increases. So he then proceeds to command them with the good and forbid them from the evil, so they take him as their enemy. And the more

⁷² *Sūrat Al-Burūj*, 8-9

⁷³ *Sūrat An-Nisā'*, 89

⁷⁴ Narrated by At-Tirmithī, who authenticated it [Trans. Note: *Shaykh Al-Albānī*, may Allāh be merciful to him, classified it *Hasan Sahīh* in “*Sahīh Sunan At-Tirmithī*”, #1,956 and *Sahīh* with a different phrasing in “*Sahīh At-Targhīb*”, #3,402 as well as “*Sahīh Al-Jāmi'*”, #992 & #993. And in “*Silsilat Al-Ahādīth As-Sahīhah*”, he said, “Its chain is good.” #143]

his faith (*Īmān*) decreases, then the more their enmity towards him decreases.

And despite that, the enmity of the disbelievers towards the believers will never be completely cut off as long as the believers remain upon their faith (*Īmān*), even though it may have its shortcomings. He, the Most High, said:

Never will the Jews nor the Christians be pleased with you till you follow their religion.⁷⁵

And He, the Most High, said:

And they will never cease fighting you until they turn you back from your religion if they can.⁷⁶

Section 5: And Allāh, Majestic is His Stature, Commands the Believers, in the Legislation, to Repel the Disbelievers Who Were Empowered Over the Believers by the Decree

He, the Most High, said:

⁷⁵ *Sūrat Al-Baqarah*, 120

⁷⁶ *Sūrat Al-Baqarah*, 217

For had it not been that Allāh checks one set of people by means of another, monasteries, churches, synagogues, and mosques, wherein the Name of Allāh is mentioned much would surely have been pulled down. Verily, Allāh will help those who help His (Cause). Truly, Allāh is All-Strong, All-Mighty.⁷⁷

And the Repelling of the Disbelievers by the Believers Undergoes Several Stages

Firstly: The Invitation (Da'wah) to Islām

He, the Most High, said:

And say to those who were given the Scripture (Jews and Christians) and to those who are illiterates (Arab pagans): “Do you (also) submit yourselves (to Allāh in *Islām*)?” If they do, they are rightly guided...⁷⁸

And the Messenger of Allāh said to Mu'āth when he sent him to Yemen, “Verily, you are being sent to a people from the People of the Book (*Ahl Al-Kitāb*). So make the first thing you call them to be the testimony (*Shahādah*) of 'Lā ilāha il-Allāh'...”
– The *Hadīth*.⁷⁹

⁷⁷ *Sūrat Al-Hajj*, 40

⁷⁸ *Sūrat Āl-Imrān*, 20

⁷⁹ Agreed upon

And considering the universality of his ^{’s} message, as I mentioned within “The Holding Steadfast”, that the creation was divided by his *Da’wah*, into believers or disbelievers. And due to this, it is narrated in the *Hadīth*, “...and Muhammad is a divider between the people.” ⁸⁰ And after the *Da’wah*, the connections between the believer and the disbeliever take other forms. And they are:

Secondly: The Disavowal from the Disbelievers; Alive or Dead

So the disavowal (*Barā’ah*) from the living disbeliever would be by openly showing the enmity and the hatred towards them and towards their disbelief (*Kufr*), while not following their desires or their ideologies and withdrawing oneself from them and not mixing oneself amongst them. And this will come in greater detail.

As for the disavowal (*Barā’ah*) from them after their death, then it would be by not seeking forgiveness for them as He, the Most High, said:

It is not (proper) for the Prophet and those who believe to ask Allāh's forgiveness for the *Mushrikīn* (polytheists) even though they be of kin, after it has become clear to them that they are the dwellers of the Fire. ⁸¹

⁸⁰ Narrated by Al-Bukhārī from Jābir

⁸¹ *Sūrat At-Tawbah*, 113

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And the disavowal (*Barā'ah*) from them would be in not burying them with the Muslims. And it would be in preventing them from leaving inheritance or receiving inheritance, as he said, “*The Muslim does not inherit from the disbeliever (Kāfir) and the disbeliever (Kāfir) does not inherit from the Muslim.*”⁸²

Allāh, the Most High, said:

Indeed there has been an excellent example for you in Ibrāhīm (Abraham) and those with him, when they said to their people: “Verily, we are free from you and whatever you worship besides Allāh, we have rejected you, and there has started between us and you, hostility and hatred for ever, until you believe in Allāh Alone.”⁸³

And He, the Most High, said:

Then, We have inspired you: “Follow the religion of Ibrāhīm (Abraham) *Hanīfa* (*Islamic Monotheism - to worship none but Allāh*).”⁸⁴

So the kinship did not prevent the disavowal: ...when they said to their people... And the *Shaykh*, Hamad Ibn ‘Atīq An-Najdī, may

⁸² Agreed upon from Usāmah Ibn Zayd

⁸³ *Sūrat Al-Mumtahinah*, 4

⁸⁴ *Sūrat An-Nahl*, 123

Allāh be merciful to him, said, “And here is an excellent point, in His saying **“Verily, we are free from you and whatever you worship besides Allāh”** and it is that Allāh, the Most High, preceded the disavowal (*Barā’ah*) from the polytheists (*Mushrikīn*), who worship other than Allāh, ahead of the disavowal (*Barā’ah*) from the idols, which are worshipped beside Allāh. Because the first is more important than the second. Because if he has disavowal (*Barā’ah*) from the idols but does not have disavowal (*Barā’ah*) from those who worship them, then he would not have come with what was obligatory upon him. However, if he has disavowal (*Barā’ah*) from the polytheists (*Mushrikīn*) then this necessitates that he has disavowal from their deities (as well). And likewise, is His statement: **“And I shall turn away from you and from those whom you invoke besides Allāh. And I shall call on my Lord; and I hope that I shall not be unblessed in my invocation to my Lord.”** [Maryam, 48] – the verse. So He preceded turning away from them ahead of turning away from what they worship beside Allāh. And likewise, is His statement: **“So when he had turned away from them and from those whom they worshipped besides Allāh...”** [Maryam, 49] And His statement: **“And when you withdraw from them, and that which they worship, besides Allāh...”** [Al-Kahf, 16] So this point is upon you, as it opens a door for you to have enmity towards the enemies of Allāh. So how many people have not fallen into *Shirk*, yet they do not have enmity towards its people? So he could not be a Muslim with that, as he has left the religion of all the Messengers.”

Then he said: **“...we have rejected you, and it has become openly seen between us and you, hostility and hatred for ever, until you believe in Allāh Alone.”**⁸⁵ So His statement: ... become

⁸⁵ Trans. Note: *Al-Mumtahinah*, 4

openly seen...; in other words, it has become clear and open. And contemplate the preceding of the enmity over the hatred because the first is more important than the second. This is because the person may hate the polytheists (*Mushrikīn*), while he does not take them as enemies, so he would not have come with that which is obligatory upon him until the enmity and the hatred comes from him. And it is also a must for the enmity and the hatred to be openly and clearly shown. And know that even if the hatred is tied to the heart, that it doesn't benefit until its results are shown, and its indicators become clear, and it will not be like that until it is accompanied by the enmity and the cutting off. Then at that time the enmity and the hatred will both be openly clear. But, if there is allegiance and pursuit, then that indicates the non-existence of the hatred, so it is upon you to contemplate this topic because it clarifies for you many doubts.”⁸⁶

I say: So comprehend these words, then contemplate the condition of the Muslims who do not see the difference between the truth and the falsehood in this time. You will see one of them claiming to be a Muslim, then he calls out with the disbelieving foundations, such as the Socialism, Democracy and Nationalism. So he did not have disavowal (*Barā'ah*) from them nor from their people. And you would see one of them a member from the political parties, which call out with this disbelief (*Kufr*) without any shame. He, the Most High, said:

⁸⁶ “*Majmū'at At-Tawhīd*: The Twelfth Letter”, page 376 – 378; publication of “*Dār Al-Fikr*”, 1979 G

And had they believed in Allāh, and in the Prophet and in what has been revealed to him, never would they have taken them (the disbelievers) as *Awliyā'* (protectors and helpers), but many of them are the *Fāsiqūn*.⁸⁷

And I pointed to the obligation of being different and being separate within “The Principles of Holding Steadfast to the Book and the *Sunnah*”.

Thirdly: The Withdrawal and the Emigration

After the *Da'wah*, then the disavowal from the disbelievers, it is an obligation to be withdrawn from them and their disbelief (*Kufr*) and the emigration (*Hijrah*) away from their land, if that is possible. And the ruling of emigration comes within Section 11. He, the Most High, said:

"And when you withdraw from them, and that which they worship, besides Allāh..."⁸⁸

And He, the Most High, said:

"And I shall withdraw from you and from those whom you invoke besides Allāh. And I shall call on my Lord."⁸⁹

⁸⁷ *Sūrat Al-Mā'idah*, 81

⁸⁸ *Sūrat Al-Kah'f*, 16

⁸⁹ *Sūrat Maryam*, 48

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And the Messenger of Allāh said, “*I am disavowed from every Muslim who resides amongst the backs of the polytheists (Mushrikīn).*”⁹⁰

Fourthly: The *Jihād* in the Path of Allāh

(This applies) to whoever is stubborn and refuses to accept the invitation (*Da’wah*) of *Islām*. He, the Most High, said:

...then kill the *Mushrikīn* (polytheists) wherever you find them...⁹¹

And Allāh, the Most High, said to His Prophet , “*I have only sent you to test you and test (others) with you...*” until His saying: “*...expel them as they have expelled you and battle them and We shall Battle for you. And spend (for Jihād) as We shall spend upon you. And send the army as We shall send five like it. And fight alongside those who have obeyed you against those who have disobeyed you.*”⁹²

And due to that, the Messenger of Allāh said, “*I was commanded to fight the people until they testify that there is no deity worthy of worship except Allāh and that Muhammad is the Messenger of Allāh and they establish the prayer (Salāt) and pay the poor due (Zakāt). Then if they do that, then they have protected*

⁹⁰ Narrated by Abū Dāwūd and Al-Albānī authenticated it

⁹¹ *Sūrat At-Tawbah*, 5

⁹² Narrated by Muslim from ‘Iyādh Ibn Himār

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*their blood and their wealth from me, except in the rights of Islām and their reckoning is with Allāh, the Most High.”*⁹³

And the fact that he was commanded to fight all of the people was only due to the universality of him being sent to the creation, as we pointed out previously.

And Allāh, the Most High, used to take responsibility to destroy the disbelievers in Him and in His Messengers, from the time of Nūh until Mūsa (peace be upon them). Then He, Glory be to Him, legislated the *Jihād* in the *Sharī'ah* of Mūsa after rescuing the Children of Israel and the destruction of Pharaoh, as He, the Most High, said:

“O my people! Enter the holy land...”

Until His, the Most High’s, saying:

“So go you and your Lord and fight...”⁹⁴

So this was the beginning of the legislation of the fighting in the Path of Allāh, the Most High. And He, the Most High, said:

⁹³ Agreed upon from Ibn ‘Umar

⁹⁴ *Sūrat Al-Mā''idah*, 21 - 24

And indeed We gave Mūsa (Moses) the Book, after We had destroyed the generations of old...⁹⁵

Ibn Kathīr said, “His, the Most High’s, statement: ...**after We had destroyed the generations of old...** This means that after the revelation of the *Tawrāt* (Torah), He did not punish any nation with anything broad. Rather, He left the believers to fight the enemies of Allāh from the polytheists (*Mushrikīn*), as He, the Most High, said: **And Fir’awn (Pharaoh), and those before him, and the cities overthrown committed sin, and they disobeyed their Lord’s Messenger, so He punished them with a strong punishment.**⁹⁶ And Al-Qurtubī said, “His, the Most High’s, statement: ...**a promise in truth which is binding on Him in the *Tawrāt* (Torah) and the *Injīl* (Gospel) and the *Qur’ān*,**⁹⁷ is information from Allāh, the Most High, that this existed in these Books and that the *Jihād* and the resistance against the enemies; their origin was from the time of Mūsa (upon whom be peace).”⁹⁸

Then the *Jihād* can be with the self, or with the wealth or with the tongue, as he said, “*Make Jihād against the polytheists (*Mushrikīn*) with your wealth and your selves...*”⁹⁹

Also, the *Jihād* could be by intending the enemy in its own state; “*Jihād At-Talab*” or by preventing its transgression against the Muslims; “*Jihād Ad-Dafa’*” And the *Jihād* could be *Fardh ‘Ayn* or *Fardh Kifāyah*, as it will come in the following sections.

⁹⁵ *Sūrat Al-Qasas*, 43

⁹⁶ **Trans. Note:** *Sūrat Al-Hāqqah*, 9-10

⁹⁷ **Trans. Note:** *Sūrat At-Tawbah*, 111

⁹⁸ “*Tafsīr Al-Qurtubi*”, Vol. 8/268

⁹⁹ Narrated by Abū Dāwūd, with an authentic chain

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And the *Jihād* is always accompanied with the division of the Muslim ranks into truthful believers and into betraying and quivering hypocrites. He, the Most High, said:

And what you suffered on the day the two armies met, was by the leave of Allāh, in order that He might test the believers. And that He might test the hypocrites...

Until His, the Most High's, statement:

... Allāh will not leave the believers in the state in which you are now, until He distinguishes the wicked from the good.¹⁰⁰

And this is a tradition that will not be contradicted. And *Shaykh Al-Islām*, Ibn Taymiyyah mentioned that when the Tartar enemy headed towards the Land of *Ash-Shām*, the ranks were divided similarly. And he mentioned this in numerous places. So one must pay attention to this tradition because the Muslims must beware, against these hypocrites based upon this division. As He, the Most High, said:

They are the enemies, so beware of them.¹⁰¹

¹⁰⁰ *Sūrat Āl-‘Imrān*, 166 - 179

¹⁰¹ *Sūrat Al-Munāfiqūn*, 4

Just as based upon this, they must not be permitted to cause mischief within the Muslim ranks. He, the Most High, said:

Had they marched out with you, they would have added to you nothing except disorder, and they would have hurried about in your midst (spreading corruption) and sowing sedition among you, and there are some among you who would have listened to them.¹⁰²

Section 6: And the *Jihād* is Two Types; ‘*Jihād At-Talab*’ and ‘*Jihād Ad-Dafa*’

‘*Jihād At-Talab*’ is when you seek the enemy and battle them within their state. And ‘*Jihād Ad-Dafa*’ is the fighting against the enemy, which initiated the fighting with the Muslims.¹⁰³

And the evidence for *Jihād At-Talab*:

The statement of Allāh, the Most High:

¹⁰² *Sūrat At-Tawbah*, 47

¹⁰³ Look to “*Al-Ikhtiyārāt Al-Fiq’hiyyah*”, from Ibn Taymiyyah with the *Hadīth* verification (*Ta’hīq*) of Al-Fiqqī, page 309; publication of “*Dār Al-Ma’rifah*”

...then kill the *Mushrikīn* wherever you find them, and capture them and besiege them, and prepare for them each and every ambush. But if they repent and perform *As-Salāt*, and give *Az-Zakāt*, then leave their way free. Verily, Allāh is Oft-Forgiving, Most Merciful.¹⁰⁴

And He, the Most High, said:

Fight against those who believe not in Allāh, nor in the Last Day, nor forbid that which has been forbidden by Allāh and His Messenger and those who acknowledge not the religion of truth (i.e. *Islām*) among the people of the Scripture (Jews and Christians), until they pay the *Jizyah* with willing submission, and feel themselves subdued.¹⁰⁵

So *Al-Haqq* (i.e. Allāh), the Majestic and Most High, commanded going out and fighting them and seeking them and besieging them. And these verses are from the clearest, of the last ones, which were revealed (about *Jihād*). And there is no abrogation for them. And the Prophet and his companions with him, and those after him, followed them, until Allāh, the Most High, opened the Earth's East and its West to them.

And the Messenger of Allāh said, “I was commanded to fight the people until they testify that there is no deity worthy of worship except Allāh and that Muhammad is the Messenger of Allāh and they establish the prayer (*Salāt*) and pay

¹⁰⁴ *Sūrat At-Tawbah*, 5

¹⁰⁵ *Sūrat At-Tawbah*, 29

the poor due (Zakāt). Then if they do that, then they have protected their blood and their wealth from me, except in the rights of Islām and their reckoning is with Allāh, the Most High.”¹⁰⁶

And in the *Hadīth* of Buraydah, which was narrated by Muslim, “That the Messenger of Allāh ; whenever he would appoint a commander (*Amīr*) over an army, or a platoon, he would advise him privately, to fear Allāh and with those who were with him from the Muslims, with good. Then he said, ‘*Battle in the Name of Allāh. Fight those who have disbelieved in Allāh. Battle, but do not misappropriate (the war booty) and do not betray and do not make examples from the polytheists (i.e. do not mutilate them). And do not kill a child. Then if you meet your enemy from the polytheists, then call them to three practices.*’” – the *Hadīth*. And these texts are clear and obvious concerning going out to fight the enemy, while intending them, within their state. And this is the *Jihād At-Talab*.

As for the *Jihād Ad-Dafa'*, then its evidences are:

His, the Most High’s, statement:

O you who believe! When you meet those who disbelieve, in a battle-field, never turn your backs to them.¹⁰⁷

And the statement of Allāh, the Most High:

¹⁰⁶ Agreed upon from Ibn ‘Umar, may Allāh be pleased with them

¹⁰⁷ *Sūrat Al-Anfāl*, 15

And fight in the Way of Allāh those who fight you... ¹⁰⁸

And the statement of Allāh, the Most High:

Then whoever transgresses the prohibition against you, you transgress likewise against him. ¹⁰⁹

So here, the fighting is to repel the transgression of the enemy who initiated the fighting.

Shaykh Al-Islām, Ibn Taymiyyah, may Allāh be merciful to him, said, “As for the fighting for defense, then it is the most urgent type of repelling the intruder away from the sanctities and the religion. So it is obligatory according to the consensus (*Ijmā’*). So the intruding enemy who corrupts the religion and this life; there is nothing more obligatory after faith, than to repel it. So there are no conditions for it, rather it must be repelled using any means available.” ¹¹⁰

I say: From what has passed, you understand that the one who rejects the fact that *Jihād At-Talab* is from *Islām*, such as those who say that *Islām* does not fight unless it is for defense or to repel transgression, then he is a rejecter of the aforementioned verses and *Hadīths* and the likes of them. And He, the Most High, said:

¹⁰⁸ *Sūrat Al-Baqarah*, 190

¹⁰⁹ *Sūrat Al-Baqarah*, 194

¹¹⁰ “*Al-Ikhtiyārāt Al-Fiqhīyyah*”, by Ibn Taymiyyah, page 309

...and none but the disbelievers reject Our Āyāt...¹¹¹

And whoever acts unjustly in falsely interpreting such as what occurred from our Pious Predecessors (*As-Salaf As-Sālih*), from *Jihād At-Talab* and says that this was to repel transgression, then he has been misguided far away, if he was not ignorant of these texts or understood them, and turned away from them and acted unjustly in their (proper) interpretation.

A Misconception:

Some use as evidence to reject *Jihād At-Talab*, His, the Most High's, statement:

But if they incline to peace, you also incline to it...¹¹²

And (they say) as long as the disbeliever is in a state of peace with the Muslims, then there is no *Jihād*. An they use as evidence, the statement of the Prophet ﷺ, “*Do not wish to meet the enemy...*”¹¹³

And this is the condition of those who believe in some of the Book while disbelieving in some; those who used as evidence, one of the evidences in the matter, while leaving the remaining evidences, as I mentioned in the fourth principle from “The Principles of

¹¹¹ *Sūrat Al-‘Ankabūt*, 47

¹¹² *Sūrat Al-Anfāl*, 61

¹¹³ Agreed upon

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Holding Steadfast to the Book and the *Sunnah*”. And the response to this doubt is from different points:

The First: The Messenger of Allāh and his companions, who are the best of this nation, may Allāh be pleased with them, did not hold these texts upon the point, which those ones understood from it, in that they mean the leaving of the *Jihād At-Talab*, as the Prophet fought the Arabs and then went out to fight the Romans at Tabūk. And he fought in nineteen battles.¹¹⁴ And he personally participated in fighting in eight of them.¹¹⁵ As for the delegations and the platoons, which he sent out but did not go out in personally, then they numbered thirty-six in the narration of Ibn Is’hāq, and others mentioned even more than that.¹¹⁶ Then the companions battled, after him, the Persians and the Romans and the Turks and the Copts and the Barbars and others from what is known. So this one who used these texts as evidence to invalidate the *Jihād At-Talab*; we say to him:

“This thing that you understood; is it something that the Prophet and his Companions understood, or not?” Then if he says that they did not understand it, we say to him, “You have understood that which they did not understand, therefore you have judged upon yourself with misguidance and that what you have understood was not from our religion.” This is because the religion

¹¹⁴ Agreed upon from Zayd Ibn Al-Arqam

¹¹⁵ Narrated by Muslim from Buraydah

¹¹⁶ “*Fat’h Al-Bārī*”, Vol. 7/279 – 281 & “*Sahīh Muslim Bi’Sharh’ An-Nawawī*”, Vol. 12/195

was completed in his 's lifetime. Allāh, the Most High, said:

This day, I have perfected your religion for you...¹¹⁷

“And this understanding of yours is rejected and unsupported: ‘Whoever performs an action, which does not comply with our affair, then it will be rejected.’¹¹⁸ And with this false understanding, you have left the guidance of the Messenger and the path of his companions.” He, the Most High, said:

And whoever contradicts and opposes the Messenger after the right path has been shown clearly to him, and follows other than the believers' way. We shall keep him in the path he has chosen, and burn him in Hell - what an evil destination.¹¹⁹

But if he says that they did understand the same thing that he understood, then we say to him: “Their history was upon that which contradicts this understanding. So either it is the truth and they went against it – and no one would say this, except for a *Zindiq* – or it is the falsehood and the misguidance, and therefore this was not their understanding nor their actions.

¹¹⁷ **Trans. Note:** *Sūrat Al-Mā'idah*, 3

¹¹⁸ **Trans. Note:** Narrated by Al-Bukhārī from ‘Ā’ishah, may Allāh be pleased with her

¹¹⁹ *Sūrat An-Nisā'*, 115

The Second:

As for Allāh the Most High's saying:

But if they incline to peace, you also incline to it...¹²⁰

Then the sayings of the predecessors (*Salaf*) concerning it, will come within the tenth section.

The Third: And as for the statement of the Prophet , “*Do not wish to meet the enemy...*”, then it was narrated by Al-Bukhārī from ‘Abdullāh Ibn Abī Awfa, “On one of the days in which the Messenger of Allāh faced therein, he waited until the sun descended. Then he stood up in front of the people to address them and said, ‘*O people, do not wish to meet the enemy and ask Allāh to be pardoned. Then if you face them, then be patient and know that the Paradise is beneath the shade of swords.*’ Then he said, ‘*O Allāh, Revealer of the Book and Dispenser of the clouds and Defeater of the allied tribes, defeat them and give victory to us over them.*’”¹²¹ I say: It is clear from the text of this *Hadīth*, that the Prophet said this in one of his battles, due to his saying, “On one of the days in which....faced therein...” In other words, ‘the enemy’ as Muslim narrated it. And his saying, “*Then if you face them, then be patient...*” as well as his statement: “*...defeat them and give victory to us over them.*” So how can this *Hadīth* be used as evidence for leaving the *Jihād*, while he only said it

¹²⁰ *Sūrat Al-Anfāl*, 61

¹²¹ *Hadīth* #2,965 & #2,966

during the battle? Then the *Hadīth* includes inciting (his companions) upon the fighting the enemy. And that is in his statement, “...and know that the Paradise is beneath the shade of swords.” And it is known that the fighter would not be beneath of shade of swords except during the clashing against his enemy while each of them is upon his companion with his sword.¹²²

So the fact that he said this *Hadīth* while heading towards the fighting and the fact that he incited (his companions) upon the fighting in the very same *Hadīth*, indicates that the forbiddance of wishing to meet the enemy is not in absolute terms and that it was merely from a specific point. And that is the warning against being satisfied and being overconfident with strength. And it is what Ibn Hajar pointed to in his explanation of this *Hadīth*. He said: “He only forbid the wishing to meet the enemy due to what is in that from the state of being pleased and having trust upon the self and being sure of the strength and underestimating the enemy. And all of this contradicts the being cautious and having determination. And it is said: “This forbiddance is held when doubt exists about the benefits or the possibility of harm. Otherwise, the fighting is a virtue and an obedience.”¹²³ And An-Nawawī said something similar to this.¹²⁴ I say: And from that which indicates that the forbiddance in wishing to face the enemy is not in absolute terms, was the desire of Anas Ibn An-Nadr, may Allāh be pleased with him, to face the enemy in the presence of the Messenger of Allāh , yet he did not object to him (expressing) that.

¹²² “*Fat'h Al-Bārī*”, Vol. 6/33

¹²³ “*Fat'h Al-Bārī*”, Vol. 6/156

¹²⁴ “*Sahīh Muslim Bi Sharh 'An-Nawawī*”, Vol. 12/45 - 46

And that comes in what was narrated by Al-Bukhārī and Muslim from Anas Ibn Mālik, may Allāh be pleased with him, who said. “My uncle, Anas Ibn An-Nadhr, may Allāh be pleased with him, was absent from the fighting on the Day of Badr, so he said, ‘O Messenger of Allāh, I was absent in the first fighting wherein you fought the polytheists (*Mushrikīn*). If Allāh permits me to participate in the (next) fight against the polytheists (*Mushrikīn*), then Allāh shall see what I will do.’ Then when it was the Day of Uhud, the Muslims became exposed. So he said, ‘O Allāh, I offer my excuse to you on behalf of what these ones have done...’ – in other words, his companions – “...and I free myself from what these ones have done...” – in other words, the polytheists. Then he advanced and met Sa’d Ibn Mu’āth. So he said to him, ‘O Sa’d Ibn Mu’āth, the Paradise, by the Lord of An-Nadhr, I detect its fragrance coming from the side of Uhud!’ Sa’d said, ‘Then I was not able, O Messenger of Allāh, to do what he did.’ Anas said, ‘Later, we found him with eighty-odd wounds from spears, or arrow wounds, and we discovered that he was killed and that the *Mushrikīn* had made an example of him (i.e. by mutilation). So no one could recognize him except his sister who (identified him) from his finger tips.’ Anas said, ‘We used to think – or assume – that this verse was revealed about him and about the likes of him: **Among the believers are men who have been true to their covenant with Allāh, of them some have fulfilled their obligations...**¹²⁵ I say: So this great companion desired to face the enemy, and was truthful towards Allāh in that. And with this, you can see that the forbiddance from wishing to face the enemy is only from the point of being satisfied and from pride, which are both blameworthy. And with this, you see the falsehood of this doubt, which some of the deviants use as a basis to reject *Jihād At-*

¹²⁵ Trans. Note: *Al-Ah'zāb*, 23

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Talab, which Allāh, the Most High, has made a means to make the religion dominant. He, the Most High, said:

And fight them until there is no more *Fitnah* and the religion (worship) will all be for Allāh.¹²⁶

And He, the Most High, said:

...to make it dominant over all religions even though the *Mushrikūn* hate (it).¹²⁷

And He, the Most High, said:

...until they pay the *Jizyah* with willing submission, and feel themselves subdued.¹²⁸

Ibn Al-Qayyim, may Allāh be merciful to him, said, “And the point of the *Jihād* is only so that the Word of Allāh will be the Most High, and so that the religion would all be for Allāh” And he said, “And included in the religion being all for Allāh is the humiliation of the disbelief (*Kufr*) and its people and in their being subdued and in implementing the *Jizyah* upon the leaders of its people and the enslavement upon their necks as this is from the religion of Allāh. And nothing would contradict this except leaving

¹²⁶ *Sūrat Al-Anfāl*, 39

¹²⁷ *Sūrat At-Tawbah*, 33 & *As-Saff*, 9

¹²⁸ *Sūrat At-Tawbah*, 29

the disbelievers in their positions of power and to establish their religion as they please so that they would have the power and the (predominant) word.”¹²⁹

I say: And there is no contradiction between what has passed and between His, the Most High’s, statement:

There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path.¹³⁰

(This is) because the fighting is obligatory so that the Word of Allāh would be the Most High. And this would not come except with the Muslims defeating their enemies and raising up the rulings of *Islām* over the conquered countries. As for the people in these countries, then whoever enters *Islām*, then that is an excellent matter and whoever persists upon his disbelief (*Kufr*) then he is not compelled to embrace *Islām*. Rather, he may remain upon his disbelief (*Kufr*), but beneath the ruling of the Muslims. So the negated compulsion in this verse of *Al-Baqarah*: **There is no compulsion in religion.** It is the compulsion upon faith (*Īmān*). As for the affirmed compulsion, in the verse from *At-Tawbah*: **...to make it dominant over all religions even though the *Mushrikūn* hate (it),** then this is their being compelled upon the highness of the law of *Islām* over them, while they remain upon their religion.

And it has been approved in the *Sharī’ah* to accept the *Jizyah* from the People of the Book (*Ahl Al-Kitāb*) and those who take their ruling: **...until they pay the *Jizyah*...** And they are not compelled

¹²⁹ “*Ah’kām Ahl Ath-Thimmah*”, by Ibn Al-Qayyim, Vol.1/8

¹³⁰ *Sūrat Al-Baqarah*, 256

upon *Islām*. As for the worshippers of the idols, then concerning the acceptance of *Jizyah* from them, there is a difference of opinion. And review the interpretation of: **There is no compulsion in religion**, in “*Tafsīr Ibn Kathīr*”.

I say: And the Muslim must know that the belief that *Jihād At-Talab* is obligatory upon the Muslims, results in a clash with the modern international laws, which forbid the aggression of the countries against one another and prohibit the seizure of lands of others forcefully – these laws, whom the powerful ones who implemented them supercede them – but Allāh, the Most High, said:

Therefore fear not men but fear Me... ¹³¹

And He, the Most High, said:

Verily, Allāh will help those who help His (Cause). ¹³²

And all of these rulings are conditional upon (having) power and the ability. And this ability is obligatory to attain, when inability exists, in order to fulfill these obligations. He, the Most High, said:

¹³¹ *Sūrat Al-Mā'ida*, 44

¹³² *Sūrat Al-Hajj*, 40

And make ready against them all you can of power, including steeds of war to threaten the enemy of Allāh and your enemy, and others besides whom, you may not know but whom Allāh does know. And whatever you shall spend in the Cause of Allāh shall be repaid unto you, and you shall not be treated unjustly.¹³³

Section 7: And the *Jihād* is *Fardh Kifāyah* and it Becomes Specified at Times

Ibn Qudāmah said, “The meaning of *Fardh Kifāyah* is that when an amount does not suffice in order to establish something, then all of the people are sinful. And if a sufficient amount establishes it, then it falls off of the remaining people. So the address originally included everyone, just as in the *Fardh ‘Ayn*. Then they differed in that *Fardh Kifāyah* falls off by some of the people establishing it whereas the *Fardh ‘Ayn* does not fall off of anyone by the action of other than him.”

Then he said about the evidence that the *Jihād* is *Fardh Kifāyah*, “And we have the statement of Allāh, the Most High: **Not equal are those of the believers who sit (at home), except those who are disabled and those who strive hard and fight in the Cause of Allāh with their wealth and their lives. Allāh has preferred in grades those who strive hard and fight with their wealth and**

¹³³ *Sūrat Al-Anfāl*, 60

their lives above those who sit (at home). Unto each, Allāh has promised good (Paradise)...¹³⁴ And this indicates that those who sit are not sinful as long as *Jihād* was performed by other than them. And Allāh, the Most High, said: **And it is not (proper) for the believers to go out to fight all together. Of every troop of them, a party only should go forth, that they may get instructions in (Islāmic) religion...**¹³⁵ And because the Messenger of Allāh used to send platoons out, while he and the remaining companions would stay behind.”¹³⁶

Then Ibn Qudāmah said, “And the *Jihād* is specified in three situations:

The First: When the two groups meet and both sides face one another. It is forbidden for those present to flee and that situation is specified to him, due to Allāh, the Most High’s statement: **O you who believe! When you meet (an enemy) force, take a firm stand against them and remember Allāh much... – until His statement ...and be patient. Surely, Allāh is with those who are *As-Sābirīn* (the patient ones, etc.).**¹³⁷ And His, the Most High’s, statement: **O you who believe! When you meet those who disbelieve, in a battle-field, never turn your backs to them. And whoever turns his back to them on such a day - unless it be a stratagem of war, or to retreat to a troop (of his own), - he indeed has drawn upon himself wrath from Allāh...**¹³⁸

¹³⁴ **Trans. Note:** *Sūrat An-Nisā'*, 95

¹³⁵ **Trans. Note:** *Sūrat At-Tawbah*, 122

¹³⁶ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/364 - 365

¹³⁷ *Sūrat Al-Anfāl*, 45 - 46

¹³⁸ *Sūrat Al-Anfāl*, 15 - 16

The Second: If the disbelievers enter a country then it is specified upon its people to fight them and repel them.

The Third: If the leader (*Imām*) calls upon a people, it is upon them to go out with him, due to Allāh, the Most High's, statement: **O you who believe! What is the matter with you, that when you are asked to march forth in the Cause of Allāh (i.e. *Jihād*) you cling heavily to the earth?** – the verse ¹³⁹ as well as the verse, which follows it. And the Prophet *صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ* said, *'If you are called out, then go out.'* ¹⁴⁰ – Agreed upon.”

I say: And the evidence for the second situation is the same evidence for the first situation: **“...When you meet (an enemy) force, take a firm stand against them...”** And: **“...When you meet those who disbelieve, in a battle-field, never turn your backs to them...”** because the advancing of the disbelievers into the country of the Muslims is like the meeting of both marching groups and the confrontation of both ranks.

I say: And the list of conditions for the obligation of *Jihād* has passed in the second chapter of this treatise. And they are nine in *Fardh Kifāyah*: *“Islām, maturity, soundness of mind, freedom, being male, being able-bodied, the affordability, the permission of parents, and the permission of the owed debtor.”* ¹⁴¹

As for the *Fardh 'Ayn*, then they are the first five only.

Also, I mentioned in the second chapter, the (valid) *Shari'ah*-oriented excuses, which permit the leaving of *Jihād*, as well as the

¹³⁹ *Sūrat At-Tawbah*, 38

¹⁴⁰ “*Al-Mughnī Wash-Sharh 'Al-Kabīr*”, Vol. 10/365 - 366

¹⁴¹ “*Al-Mughnī Wash-Sharh 'Al-Kabīr*”, Vol. 10/366 & 381

excuses, which are not *Shari'ah*-oriented (and therefore unacceptable).

Section 8: And the Military Training is Obligatory Upon Every Muslim

And the details of this have passed in the second chapter of this treatise. And the point of its obligation upon every Muslim – other than those who have (valid) *Sharī'ah*-oriented excuses – is that the *Jihād* can be *Fardh 'Ayn* in situations, which I mentioned earlier. And the *Jihād* will not come, particularly with the advancement in weapons, except by training with them. And whenever an obligation can not be fulfilled except with something (else); then that (thing also) becomes obligatory (in order to enable the fulfillment of the original obligation.) And also because the training is a part of the obligation of becoming prepared in His, the Most High's, statement:

And make ready against them all you can from power...¹⁴²

And the Prophet explained: ...power... with his statement: "*Verily, the power is in shooting.*" three times.¹⁴³ And it is not sufficient for the individual to train once in his lifetime and then to leave it. Rather, the obligation is for him to continue upon the training so that he can retain the preservation of his fighting ability. And this continuation is taken from his 's

¹⁴² **Trans. Note:** *Sūrat Al-Anfāl*, 60

¹⁴³ Narrated by Muslim from 'Uqbah Ibn 'Āmir

statement: “*Whoever learns the shooting and then leaves it, then he is not from us.*”¹⁴⁴ And this *Hadīth* clarifies the obligation of constantly being prepared for the *Jihād*. And from this point, is the statement of Allāh, the Most High:

Those who disbelieve wish, if you were negligent of your arms and your baggage, to attack you in a single rush...¹⁴⁵

And here, the point must be made that the training is not a condition for the obligation of *Jihād* (being dependant upon),¹⁴⁶ especially if the enemy enters a country of the Muslims and the fighting against it (i.e. the invading enemy) becomes specified for it (i.e. the Muslims present in this country). Ibn Taymiyyah, may Allāh be merciful to him, said, “As for the fighting for defense, then it is the most urgent type of repelling the intruder away from the sanctities and the religion. So it is obligatory according the consensus (*Ijmā’*). So the intruding enemy who corrupts the religion and this life; there is nothing more obligatory after faith, than to repel it. So there are no conditions for it, rather it must be repelled using any means available.”¹⁴⁷ I say: In other words, if the *Jihād* becomes obligatory upon every Muslim other than those who have valid *Shari’ah*-based excuses from participating in fighting the enemy – even if he is not trained – except that he must not use any weapon or any instrument of war that he is not familiar with, so that he does not harm himself or his brothers. And this is due to what was narrated from the Prophet ﷺ, who said, “*There is to be no harming and there is to be no (retaliatory)*

¹⁴⁴ Narrated by Muslim from ‘Uqbah Ibn ‘Āmir

¹⁴⁵ *Sūrat An-Nisā’*, 102

¹⁴⁶ And I have mentioned these conditions in “Section 7”

¹⁴⁷ “*Al-Ikhtiyārāt Al-Fiqhīyyah*”, page 309

harm." And it is upon every Muslim to adhere to the duty, which his *Amīr* specifies for him, in the *Jihād*, within his capabilities.

Section 9: And the Muslim Nation is a *Mujāhid* Nation, So it Must Conduct its Policies in Accordance With This Description

From the passed sections, you know that the Muslims are held responsible with the *Jihād At-Talab* and *Jihād Ad-Dafa'* and that the *Jihād* can be *Fardh Kifāyah* or *Fardh 'Ayn* upon them. And (you know) that the military training is obligatory and it is obligatory to continue upon it.

Then if we look to *Jihād At-Talab*, which is intending the enemy in their state, then the majority of the scholars are upon (the opinion) that it is obligatory upon the Muslims to perform it once every year. And this is the least of the obligation and nothing prevents this except the inability of the Muslims or a treaty with the enemy. And others see that it is obligatory whenever it is possible, without any specified number (of times per year).

And those who held it obligatory once each year – and they are the majority – their proof is that the *Jizyah* is obligatory upon the non-Muslims within the *Islāmic* State, which takes the place of the *Jihād* and that this is obligatory once each year according to consensus (*Ijmā'*). So whatever takes its place – in this case, *Al-Jihād*, must also take place once a year.¹⁴⁸

¹⁴⁸ Look to "Al-Mughnī Wash-Sharh 'Al-Kabīr'", Vol. 10/367-368

I say: And this ruling can also be extracted from Allāh, the Most High's, statement:

See they not that they are tried once or twice every year? Yet, they turn not in repentance, nor do they learn a lesson (from it).¹⁴⁹

And Ibn Kathīr narrated in its *Tafsīr*, from Qatādah who said, "They are tested with the battle in each year, once or twice." Al-Qurtubī said concerning *Jihād At-Talab*, "And a second type from the obligatory *Jihād*, which is also *Fardh* upon the leader (*Imām*) is to send a group to battle the enemy once each year. He goes out with them personally or he delegates someone who he trusts to call them to *Islām* and to spite them and to prevent their harm and to dominate them beneath the religion of Allāh, until either they enter *Islām* or pay the *Jizyah* willingly. And from the *Jihād* also, is that which is voluntary. And this is that the *Imām* sends groups after groups and deploys platoons in the times of inattentiveness and whenever possible. And the surveillance of them with the guard duty in the dangerous regions and demonstrating the strength."¹⁵⁰ I say: So Al-Qurtubī, like the majority, considered the obligation to be once a year. And whatever exceeded that was voluntary.

So if we look to this obligation, and if we consider the constant obligation of preparing for *Jihād*, which was narrated in His, the Most High's, statement:

¹⁴⁹ *Sūrat At-Tawbah*, 126

¹⁵⁰ "Tafsīr Al-Qurtubī", Vol. 8/152

And make ready against them all you can from power... ¹⁵¹

...then we know that the *Islāmic* nation is a *Mujāhid* Nation first and foremost. And in order for it to be able to perform these obligations, it must conduct its domestic and foreign policies to establish these obligations. So the policies of education, infrastructure, agriculture, trade, population zoning, and other than that; all of this must be planned and implemented to serve the *Jihād*. The Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ said, “*The believer with the believer is like a building. Each of it supports the rest.*” And he intertwined his fingers. ¹⁵² And he صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ said, “*The similitude of believers in regard to mutual love, affection and fellow-feeling is that of one body; when any limb of it aches, the whole body aches, because of fever and sleeplessness.*” ¹⁵³

Section 10: And Nothing Prevents the Muslims From *Jihād* Except For Inability. And the Preparation Becomes Obligatory at That Point

And that is due to His, the Most High’s, statement:

¹⁵¹ **Trans. Note:** *Sūrat Al-Anfāl*, 60

¹⁵² Agreed upon from Abī Mūsa

¹⁵³ Agreed upon from An-Nu’mān Ibn Bashīr

So be not weak and ask not for peace, while you are having the upper hand.¹⁵⁴

So as long as the Muslims have strength and they are superior to their enemy, then there is no peace and no *Hudnāh*¹⁵⁵ and no treaty. Rather, there is fighting until there is no turmoil (*Fitnah*) and so that the religion is all for Allāh. And that is because the last of what was revealed concerning the *Jihād* was His, the Most High's, statement:

...then kill the *Mushrikīn* wherever you find them, and capture them and besiege them, and prepare for them each and every ambush. But if they repent and perform *As-Salāt* and give *Az-Zakāt*, then leave their way free. Verily, Allāh is Oft-Forgiving, Most Merciful.¹⁵⁶

So this verse and the verse of the *Jizyah* in the same *Sūrah* is an order for the general fighting and it is the last of what was revealed in the *Qur'ān* so there is no abrogator for it. And Al-Bukhārī narrated from Al-Barā', may Allāh be pleased with him, that he said, "The last chapter that was revealed was *Al-Barā'ah* (*At-Tawbah*)."¹⁵⁷

¹⁵⁴ *Sūrat Muhammād*, 35

¹⁵⁵ **Trans. Note:** 'Hudnāh' is defined and explained ahead

¹⁵⁶ *Sūrat At-Tawbah*, 5

¹⁵⁷ *Hadīth* #4,654

And like this, the Prophet and his successors performed the fighting of the *Mushrikīn* and the People of the Book (*Ahl Al-Kitāb*), as it will be presented in “Section 13”. And nothing prevents this except for inability. And due to that, you see the disbelievers striving their utmost to prevent the Muslim from attaining the weapons, as He, the Most High, said:

Those who disbelieve wish, if you were negligent of your arms and your baggage, to attack you in a single rush...¹⁵⁸

And I have mentioned in this treatise that if the *Jihād* is prevented by inability, then the preparation is an obligation, due to the verse: **And make ready against them...** And this was also stated by Ibn Taymiyyah, may Allāh be merciful to him.¹⁵⁹

From what has passed, you know that the relationship between Muslims and the disbelievers is based upon the fighting and that the exception from that is the peace in the form of a ‘*Hudnāh*’ or a treaty. And that this exception is not sought as refuge except due to a necessity from inability or the likes of it. And that is from His, the Most High’s, statement:

So do not form the *Hudnāh* and ask not for peace, while you are having the upper hand.¹⁶⁰

¹⁵⁸ *Sūrat An-Nisā'*, 102

¹⁵⁹ “*Majmū' Al-Fatāwa*”, Vol. 28/259

¹⁶⁰ *Sūrat Muhammad*, 35

Ibn Qudāmah said, “And the meaning of the *Hudnah* is that a contract is formed with the people of war upon abandoning the fighting for a period with a replacement or without a replacement. And it is called a ‘*Muhādanah*’, and ‘*Muwāda’ah*’, and ‘*Mu’āhadah*’, and that is permissible with the evidence of Allāh, the Most High’s, statement: **Freedom from (all) obligations (is declared) from Allāh and His Messenger to those of the *Mushrikīn*, with whom you made a treaty.**¹⁶¹ And He, Glory be to Him, said: **But if they incline to peace, you also incline to it.**¹⁶² And Marwān and Miswar Ibn Makhramah narrated that the Prophet formed a treaty with Suhayl Ibn ‘Amr, at Al-Hudaybiyah, to abandon the fighting for ten years. And because there may be a weakness in the Muslims, so they would form a ‘*Hudnah*’ with them so that the Muslims would become stronger (in that time). And that is not allowed, except in accordance to the circumstances of the Muslims, such that either there is a weakness regarding fighting them, or if they hope for their (entering) *Islām* by forming a ‘*Hudnah*’ with them, or that they would pay the *Jizyah* and follow the rulings of the religion, or other than that from the benefits. If this is affirmed, then it is not allowed to form a ‘*Hudnah*’ in totality without specifying a time period, because this results in the complete abandonment of the *Jihād*.¹⁶³ And as you see, that Ibn Qudāmah said about the ‘*Hudnah*’: “And that is not allowed, except in accordance to the circumstances of the Muslims...”, in other words, according to their benefits, as he explained.

And the author of “*Al-Majmū’*” stated, “It is not permissible to contract a ‘*Hudnah*’ with a district or a territory except for the

¹⁶¹ **Trans. Note:** *Sūrat At-Tawbah*, 1

¹⁶² **Trans. Note:** *Sūrat Al-Anfāl*, 61

¹⁶³ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/517

Imām, or the one who is deputized by the *Imām*, because if that was made for every individual, then there would be nothing to prevent a man from forming a ‘*Hudnāh*’ with the people of a particular district, whereas the benefit may be in fighting them. So this would greatly increase the harm. Therefore, this was not permitted except for the *Imām* or his deputy. Then if the *Imām* was absent then it is to be carefully looked into. Then if within the ‘*Hudnāh*’ there is no benefit, then it is not permissible to contract it, due to His, the Mighty, the Majestic’s, statement: **So do not form the *Hudnāh* and ask not for peace, while you are having the upper hand. Allāh is with you...**”¹⁶⁴

And Ibn Kathīr said in the interpretation of His, the Most High’s, statement: **So do not form the *Hudnāh* and ask not for peace, while you are having the upper hand. Allāh is with you...**¹⁶⁵ He said, “**So do not form the *Hudnāh*...**” In other words, do not become weaker than your enemy. **...and ask not for peace...** In other words, the ‘*Muḥādanah*’ and the ‘*Musālamah*’, while abandoning the fighting between yourselves and the disbelievers, in your condition of strength with your great numbers and equipment. And due to this, He said: **So do not form the *Hudnāh* and ask not for peace, while you are having the upper hand.** In other words, in the state wherein you are higher than your enemies. But if the disbelievers have strength within them and great numbers compared to all the Muslims, and if the opinion of the *Imām* is that there would be a benefit in the ‘*Muḥādanah*’ and the ‘*Mu’āhadah*’, then it is allowed for him to do that, as the Messenger of Allāh did when the disbelievers of Quraysh blocked him from (entering) Makkah and invited him to the treaty and to abandon the war between themselves and him, for

¹⁶⁴ “*Al-Majmū’ Sharh’ Al-Muhath’hab*”, Vol. 19/439

¹⁶⁵ *Sūrat Muhammād*, 35

ten years. Then he accepted this from them. And His, may His Greatness be Majestic's, saying: **Allāh is with you...** in it there is the glad tidings of victory and triumph over the enemies."

And some, particularly the innovators, have taken the opinion that the relationship between the Muslims and the disbelievers is based upon peace and that the exception in this is the fighting if this becomes necessary. And they use as evidence for this, His, the Most High's, statement:

But if they incline to peace, you also incline to it, and (put your) trust in Allah¹⁶⁶

And this is an opinion, which leads to the complete end of the *Jihād At-Talab*, which is to intend the enemy in its state. And it restricts the *Jihād* to *Jihād Ad-Dafa'* only. And we have clarified the error of the one who says this in "Section 6".

As for the verse, which is being used as evidence, then there is no evidence in it, because it is held upon the permissibility of the formation of peace with the condition that the Muslims are in need of that. And this condition is clarified by the aforementioned verse: **So do not form the *Hudnāh* and ask not for peace, while you are having the upper hand.**¹⁶⁷ So the verse from *Al-Anfāl* is restricted to one condition, which is that the formation of peace is for the benefit of the Muslims when they are in need of that. As for the verse from *Sūrat Muhammad*, then it is restricted to another

¹⁶⁶ *Sūrat Al-Anfāl*, 61

¹⁶⁷ Trans. Note: *Sūrat Muhammad*, 35

condition, which is that the formation of peace is not beneficial to the Muslims. And that is when there is strength within them with which they could overpower their enemy; then the formation of peace would not be permitted in that case, due to this verse. And also because in this, there is a shifting from the original goal, which is the dominance of the religion of *Islām* over all else besides it, due to His, the Most High's, statement:

And fight them until there is no more *Fitnah* and the religion (worship) will all be for Allāh Alone.¹⁶⁸

And His, the Most High's, statement:

To make it superior over all religions even though the *Mushrikūn* hate (it).¹⁶⁹

This is the fundamental goal: The dominance of *Islām* by fighting the *Mushrikūn* so that they will either enter *Islām*, returning to the worship of Allāh, the Lord of all the Worlds, or remain upon their disbelief (*Kufr*), while paying the *Jizyah* under the rule of *Islām*, and subjugation shall be implemented upon them, which is the necessary outcome for anyone who turns away from the worship of the One, the All-Omnipotent. He, the Most High, said:

...until they pay the *Jizyah* with willing submission, and feel themselves subdued.¹⁷⁰

¹⁶⁸ *Sūrat Al-Anfāl*, 39

¹⁶⁹ *Sūrat At-Tawbah*, 33 & *As-Saff*, 9

And He, the Most High, said:

Verily, those who oppose Allāh and His Messenger they will be among the lowest (most humiliated).¹⁷¹

Ibn Kathīr said in the interpretation of the verse of *Al-Anfāl*: **But if they incline to peace, you also incline to it.** He said: “Ibn ‘Abbās and Mujāhid and Zayd Ibn Aslam and ‘Atā’ Al-Khurāsānī and ‘Ikrimah and Al-Hasan and Qatādah said that this verse was abrogated by the ‘Verse of the Sword’, in *Al-Barā’ah* (*At-Tawbah*, 29): **Fight against those who believe not in Allāh, nor in the Last Day...** – the verse. And this is somewhat doubtful also because the verse in *Al-Barā’ah* (*At-Tawbah*) contains an order to fight them if that is possible. But if the enemy is very strong, then it is permitted to form a ‘*Hudnāh*’ with them, as it is indicated by this noble verse (i.e. *Al-Anfāl*, 61), and as the Prophet

did on the Day of Al-Hudaybiyah. So there is no contradiction nor is there abrogation nor is there any restriction. And Allāh knows best.”

And Ibn Hajar said about the same verse: **But if they incline to peace, you also incline to it.** He said, “This verse indicates the permissibility of making *Musālahah* with the *Mushrikīn*...” – until he said – “...and the meaning of the stipulation in the verse is that the order for the peace is restricted to that in which the peace is more beneficial for *Islām*. But if *Islām* is dominant over disbelief

¹⁷⁰ *Sūrat At-Tawbah*, 29

¹⁷¹ *Sūrat Al-Mujādilah*, 20

(*Kufr*), and the benefits are not found in the *Musālahah*, then no.”¹⁷²

So the verse, which was used as evidence, indicates the permissibility of making the peace when there is a need, not the obligation of forming peace treaties (generally).

I say: And it must not be understood from what has passed that *Islām* does not call to peace (at all), rather it calls to it, but from its specific point of view. It even wishes it (i.e. peace) for all of the creation. He, the Most High, said:

And We have sent you not but as a mercy for the 'Alamīn (mankind, Jinns and all that exists).¹⁷³

And He, the Most High, said:

Allāh is the *Wālit* (Protector or Guardian) of those who believe. He brings them out from darknesses into light.¹⁷⁴

And He, the Most High, said:

And do not do mischief on the earth, after it has been set in order...¹⁷⁵

¹⁷² “*Fat'h Al-Bārī*”, Vol. 6/275-276

¹⁷³ *Sūrat Al-Anbiyā'*, 107

¹⁷⁴ *Sūrat Al-Baqarah*, 257

¹⁷⁵ *Sūrat Al-A'rāf*, 56

And He, the Most High, said:

Allāh enjoins *Al-Adl* (i.e. justice) and *Al-Ihsān* (i.e. sincere good deeds], and giving (help) to kith and kin and forbids *Al-Fahshā'* (i.e. all evil sexual acts) and *Al-Munkar* (i.e. all evil deeds), and *Al-Baghee* (i.e. oppression)...¹⁷⁶

This is “the peace” in the understanding of *Islām*: the mercy towards the creation and removing them from the darknesses into the light along with encouraging mankind upon righteous conduct, such as worship:

...and that none of us shall take others as lords besides Allāh.¹⁷⁷

...and forbidding the mischief in the Earth. So as long as this has not taken place, then the *Jihād* is obligatory:

...until there is no more *Fitnah* and the religion (worship) will all be for Allāh Alone.¹⁷⁸

¹⁷⁶ *Sūrat An-Nah’l*, 90

¹⁷⁷ *Sūrat Āl- ‘Imrān*, 64

¹⁷⁸ **Trans. Note:** *Sūrat Al-Anfāl*, 39

Section 11: And The *Hijrah* is Not Cut Off Until The Sun Rises From Its Setting Point

The Messenger of Allāh said, “*And I order you with five, which Allāh ordered me with: the Jamā’ah (community) and the listening and the obeying and the Hijrah (emigration)¹⁷⁹ and the Jihād in the Path of Allāh.*”¹⁸⁰

And he said, “*The Hijrah is not cut off until the Tawbah (repentance) is cut off. And the Tawbah is not cut off until the Sun rises from its setting point.*”¹⁸¹

And the *Hijrah* is obligatory for a variety of reasons. From them:

1. Fleeing with the religion by abandoning the *Mushrikīn* out of fear of the *Fitnah* upon the religion.

And this is the *Hijrah* from “*Dār Al-Kufr*” to “*Dār Al-Islām*” or to “*Dār Al-Amn*”, for whoever is able to do that.

¹⁷⁹ **Trans. Note:** In the original copy of his book, the phrase “...and the *Hijrah...*” was missing from this *Hadīth*, so it has been added here due to the fact that it is obvious that it was a publishing mistake, as the point of mentioning this *Hadīth* was for this phrase.

¹⁸⁰ Narrated by Ahmad from Al-Hārith Al-Ash’arī and Al-Albānī authenticated it

¹⁸¹ Narrated by Abū Dāwūd from Mu’āwiyah and Al-Albānī authenticated it in “*Irwā Al-Ghalīl*”, Vol. 5/33

The Messenger of Allāh said, “*I am disavowed from every Muslim who resides amongst the backs of the polytheists (Mushrikīn). Their fires should not be seen.*”¹⁸²

And Al-Bukhārī narrated from ‘Atā’ Ibn Abī Rabāh that he said, “I visited ‘Ā’ishah with ‘Ubayd Ibn ‘Umayr Al-Laythī. So we asked her about the *Hijrah*. So she said, ‘There is no *Hijrah* today. The believers; one of them would flee with his religion to Allāh, the Most High, and to His Messenger , out of fear that *Fitnah* would be placed upon them with regards to it. But as for today, Allāh has made *Islām* dominant and today he may worship his Lord wherever he wills, except for *Jihād* and the intention (for it).’”¹⁸³

I say: And the *Hijrah*, which the *Sayyidah*, ‘Ā’ishah, may Allāh be pleased with her, negated was the *Hijrah* from “*Dār Al-Islām*”, due to her saying, “There is no *Hijrah* today,” while they were within “*Dār Al-Islām*”. Then she approved the reason for the *Hijrah* as being for the fleeing with one’s religion, due to fear of the *Fitnah*.

2. The *Hijrah* as a prelude to the *Jihād* in the Path of Allāh

As in the aforementioned *Hadīth* of Al-Hārith Al-Ash’arī, *Marfū’* (raised up to the Prophet), “*And I order you with five, which Allāh ordered me with: the Jamā’ah (community) and the listening and the obeying and the Hijrah (emigration) and the*

¹⁸² Narrated by Abū Dāwūd and At-Tirmidhī from Jarīr and Al-Albānī authenticated it in “*Irwā Al-Ghalil*”, Vol. 5/30

¹⁸³ *Hadīth* #3,900

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Jihād in the Path of Allāh.” So he made the *Hijrah* a prelude and an associate with the *Jihād*.

And Allāh, the Most High, said:

Then, verily! your Lord for those who emigrated after they had been put to trials and thereafter strove hard and fought (for the Cause of Allāh) and were patient, verily, your Lord afterward is, Oft-Forgiving, Most Merciful.¹⁸⁴

So the *Hijrah* after the trials was not the final stage. Rather, it was merely a prelude to the next stage, which is the *Jihād* and the patience.

And the Messenger of Allāh said, “*The Hijrah will not be cut off as long as the enemy is being fought.*”¹⁸⁵

And I mentioned previously in this treatise that the *Jihād* will remain until the Muslims fight the anti-Christ (*Al-Masīh Ad-Dajjāl*) alongside ‘Īsa Ibn Maryam, ‘Alayhi As-Salām. This will be the last *Jihād* in the Path of Allāh, the Most High, as it has been confirmed by the evidences.

And the *Hijrah* as a prelude for the *Jihād* will either be with the intention of supporting the Muslim *Mujāhidīn* in another country, or it would be with the intention of becoming prepared and in

¹⁸⁴ *Sūrat Al-Nah’l*, 110

¹⁸⁵ Narrated by Ahmad from ‘Abdullāh Ibn As-Sa’dī and Al-Albānī authenticated it in “*Irwā Al-Ghalīl*”, Vol. 5/33

gathering supporters so that the Muslim would return to his country for *Jihād*.

And concerning the ruling (*Hukm*) upon the *Hijrah*, Ibn Qudāmah said, “Chapter Concerning the *Hijrah*: And it is the leaving of ‘*Dār Al-Kufr*’ to ‘*Dār Al-Islām*’. Allāh, the Most High, said: **Verily! As for those whom the Angels take (in death) while they are wronging themselves, they (Angels) say (to them): “In what (condition) were you?” They reply: “We were weak and oppressed on earth.” They (Angels) say: “Was not the earth of Allāh spacious enough for you to emigrate therein?”**¹⁸⁶ – the verses. And it is narrated from the Prophet that he said, *I am disavowed from every Muslim who resides amongst the backs of the polytheists (Mushrikīn). Their fires should not be seen.*” – Narrated by Abū Dāwūd. And its meaning is that he must not be in an area where he sees their fire or they see his fire if they are lit. And the verses and the reports other than these two are numerous. And the ruling (*Hukm*) of the *Hijrah* remains and is not cut off until the Day of Resurrection, upon the saying of the majority of the people of knowledge. And some people have said that the *Hijrah* has been cut off because the Prophet said, ‘*There is no Hijrah after the Fat’h (conquest of Makkah)*’ and he said, ‘*The Hijrah has been cut off except for Jihād and the intention.*’ And it is narrated that when Safwān Ibn Umayyah entered *Islām*, it was said to him, ‘*There is no religion for the one who does not make Hijrah,*’ so he went to Al-Madīnah. So the Prophet said to him, ‘*What has brought you here, Abū Wahb?*’ He said, ‘*It was said that there is no religion for the one who does not make Hijrah.*’ He said, ‘*Return, Abū Wahb, to the wide valleys of Makkah, and remain in your dwellings, as the*

¹⁸⁶ Trans. Note: *Sūrat An-Nisā’*, 97

Hijrah has been cut off except for Jihād and the intention.’ All of that was narrated by Sa’īd. And we have what was narrated by Mu’āwiyah, who said, ‘I heard the Messenger of Allāh

saying, ‘*The Hijrah does not cut off until the sun rises from its setting point.*’ – Narrated by Abū Dāwūd. And it is narrated from the Prophet that he said, ‘*The Hijrah will not cut off as long as there is Jihād.*’ – Narrated by Sa’īd and others. And (this is in addition to) the generality of the verses and reports, which indicate that, as well as the causes, which necessitate that (i.e. *Hijrah*) in all times. As for the former *Hadīths*, he meant by them that there is no *Hijrah* after the conquest (of Makkah), away from a country that has been conquered (i.e. by *Islām*). And his statement to Safwān that the *Hijrah* had been cut off, meant away from Makkah, because the *Hijrah* is the leaving from a country of the disbelievers (*Kuffār*). So if it is conquered (by *Islām*), then it is no longer a country of the disbelievers (*Kuffār*) and therefore, there is no more making *Hijrah* away from it. And like this is every country that is conquered, there is no more making *Hijrah* away from it, rather, there is only *Hijrah* towards it. If this is affirmed, then the people are three types concerning the *Hijrah*:

The First: The one whom it is obligatory upon, and he is the one who is able to do so, while not being able to openly show his religion and while he is not able to establish the obligations of his religion, when residing amongst the disbelievers. So the *Hijrah* is obligatory upon this one, due to Allāh, the Most High’s, statement: **Verily, as for those whom the Angels take (in death) while they are wronging themselves, they (Angels) say (to them): “In what (condition) were you?” They reply: “We were weak and oppressed on earth.” They (Angels) say: “Was not the earth of Allāh spacious enough for you to emigrate therein?”** Such men

will find their abode in Hell. What an evil destination! ¹⁸⁷ And this is a harsh threat, which indicates the obligation. And because the fulfillment of the obligations of the *Dīn* is obligatory upon anyone who is able to. And the *Hijrah* is from the necessities of the obligation and the things that completes it, and anything, which the obligation can not be fulfilled without, then that (thing) becomes obligatory (also).

The Second: The one whom there is no *Hijrah* upon. And he is the one who is unable to perform it, either due to illness, being compelled upon residing there, or weakness of the women and the children, and the likes of them. So there is no *Hijrah* upon this one, due to Allāh, the Most High's, statement: **Except the weak ones among men, women and children who cannot devise a plan, nor are they able to direct their way. For these there is hope that Allāh will forgive them, and Allāh is Ever Oft-Pardoning, Oft-Forgiving.** ¹⁸⁸ And it (i.e. the *Hijrah*) would not be described as recommended because it would not be possible (anyway).

And The Third: The one for whom it is recommended but for whom it is not obligatory. And he is the one who is able to do so, but is (also) able to openly show his religion. So his ceasing to reside in ‘*Dār Al-Kufr*’ is recommended for him so that he would be able to make *Jihād* against them and increase the numbers of the Muslims and assist them and so that he could stop increasing the number of the disbelievers and mixing with them and witnessing the evil amongst them. But it is not obligatory upon him, due to the ability to establish the obligations of his religion without making *Hijrah*. And Al-‘Abbās, the uncle of the Prophet

was residing in Makkah, during his *Islām*. And we narrated that Nu’aym An-Nuhām, when he wanted to make *Hijrah*,

¹⁸⁷ **Trans. Note:** *Sūrat An-Nisā’*, 97

¹⁸⁸ **Trans. Note:** *Sūrat An-Nisā’*, 98-99

his people, Banū ‘Adī’ came to him then said to him, ‘Reside with us and you will be upon your religion and we shall protect you from those who wish to harm you. And stay responsible for us in that which you are (presently) responsible to us.’ And he used to provide for the orphans and the widows of Banī ‘Adī. So he remained behind from the *Hijrah* for a time and then he made *Hijrah* at a later date. So the Prophet ﷺ said to him, ‘*Your people were better to you than my people were to me. My people expelled me and wanted to kill me, whereas your people preserved you and protected you.*’ So he said, ‘O Messenger of Allāh, rather your people expelled you to the obedience of Allāh and the *Jihād* against His enemy, whereas my people held me back from the *Hijrah* and the obedience of Allāh,’ or what is similar to these words.”¹⁸⁹

Section 12: And The Muslims Are One Nation And The Muslim Is The Brother Of A Muslim. Even If Their Countries Are Far Apart, All Of Them Are Entitled To Support.

Allāh, the Most High, said:

The believers are nothing else than brothers.¹⁹⁰

¹⁸⁹ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/513-515

¹⁹⁰ *Sūrat Al-Hujurāt*, 10

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And the Messenger of Allāh said, “*The Muslim is the brother of the Muslim.*”¹⁹¹ And the Messenger of Allāh said, “*The believers are like one man. If his head complains (hurts), then the rest of the body aches with fever and sleeplessness*”¹⁹²

And there is no difference in virtue between the Muslims, except in piety (*Taqwa*) and in good deeds. Allāh, the Most High, said:

Verily, the most honorable of you with Allāh is that (believer) who has *At-Taqwa*...¹⁹³

And the Messenger of Allāh said, “*There is no virtue of an Arab over a non-Arab nor for a non-Arab over an Arab. And neither for a white over a black, nor for a black over a white, except in piety (Taqwa). The people are from Ādam and Ādam was from soil.*”¹⁹⁴ And the support is the right of every Muslim upon his brother Muslim, even if their countries are far apart. The Messenger of Allāh said, “*The Muslim is the brother of the Muslim. He does not do wrong to him, nor does he surrender him. And whoever attends to a need of his brother; then Allāh will attend to his needs. And whoever protects a Muslim from a calamity; then Allāh protects him from a calamity from the calamities of the Day of Resurrection. And who ever covers a*

¹⁹¹ Agreed upon

¹⁹² Narrated by Muslim from An-Nu'mān Ibn Bashīr

¹⁹³ *Sūrat Al-Hujurāt*, 13

¹⁹⁴ Narrated by Ahmad and Al-Albānī authenticated it in “*Sharh’ Al-‘Aqīdah At-Tahāwiyyah*”, and “*Sahīh Al-Jāmi’ As-Saghīr*”, #1,780

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*Muslim (keeps something shameful about him hidden), then Allāh covers him on the Day of Resurrection”*¹⁹⁵

And Muslim narrated from Abī Hurayrah, *Marfū'* (raised up to the Prophet), “*The Muslim is the brother of the Muslim.*

He neither does wrong to him, nor does he betray him.” So it is obligatory upon every Muslim to support his *Mujāhid* brothers even if their countries are far apart, in accordance with what he is able to do. And he must never betray him in front of his enemy and he must not surrender him to his enemy. As Al-Qurtubī said, “It is obligatory for all to go out (to the *Jihād*). And that is when the *Jihād* becomes specified, due to the conquering of the enemy over a region of the regions, or by his entering into the country. So if that takes place, then it is obligatory upon all the people of that state to go out and to confront it (i.e. the enemy’s army); whether light or heavy, young men or old men; all upon that which they are capable. Whoever has a father, then (he goes) without his permission, just as the one who has no father. And no one, who is able to go out, may remain behind, be they fighters, or those who merely increase their numbers. Then if the people of that village are unable to defeat their enemy, then it is upon those who are nearest to them and those who neighbor them, to go out in accordance to what is necessary upon the people of that village, until they know that with them is the ability to defeat them and repel them. And likewise, are all those who know that they are too weak for their enemy and know that they (i.e. the enemy) will defeat them (i.e. the Muslims), while he is able to assist them. Then (in that case) it is necessary upon him as well, to go out to them. So all the Muslims ail (together from the harm) of those other than them.”¹⁹⁶

¹⁹⁵ Narrated by Al-Bukhārī from Ibn ‘Umar

¹⁹⁶ “*Tafsīr Al-Qurtubī*”, Vol. 8/151

And Ibn ‘Ābidīn said, “And it is *Fardh ‘Ayn* if the enemy attacks a port from the ports of *Islām*. So it becomes *Fardh ‘Ayn* upon those nearest to them. As for those who are behind them from those who are far away from the enemy, then it is *Fardh Kifāyah* if they are not in need of them. But if they are in need of them, in that those who are near to the enemy are unable to withstand the enemy or (even) if they weren’t unable, but they were lazy and they did not perform *Jihād*, then it becomes *Fardh* upon those who are behind them; *Fardh ‘Ayn*, just as the prayer and the fasting. It is not their choice to leave it, and (this continues) until it becomes *Fardh* upon all of the people of *Islām*, in the East and in the West, upon this broadening (circle of obligation).”¹⁹⁷ And upon this saying are the jurists (*Fuqahā’*) of the four juristic schools (*Mathāhab*).

I say: And from this, you can see that the *Shari’ah*-oriented tie, which binds the Muslims, is the tie of being a member of the religion of *Islām*. And this tie has responsibilities, such as the assistance and the empathy and the support and other than that. And in order to weaken this *Shari’ah*-oriented tie and then break up the unity of the Muslims and divide their ranks; the disbelievers developed substitute ties:

Such as the tie of land; “The Nation”. And this is what is referred to as the tie of nationality. And it means that the people are attributed to their country. And (in this system) there is no differentiating between them based upon their religions. And this tie declares that the benefit of the nation is prioritized ahead of anything else. And this is falsehood according to the (*Islamic*) law (*Shara’*), because it should not be that what the Muslim is attributed to, and his allegiance is for, be a piece of land. This is

¹⁹⁷ “*Hāshiyat Ibn ‘Ābidīn*”, Vol. 3/238

because it may be that one day he has to make *Hijrah*, in the Path of Allāh, away from that land. Allāh, Glory be to Him, threatened the one who puts the land ahead of that which holds the pleasure of Allāh and His Messenger , in His, the Most High's, statement:

Say: If your fathers, your sons, your brothers, your wives, your kindred, the wealth that you have gained, the commerce in which you fear a decline, and the dwellings in which you delight... are dearer to you than Allāh and His Messenger, and striving hard and fighting in His Cause, then wait until Allāh brings about His Decision (torment). And Allāh guides not the people who are *Al-Fāsiqīn*.¹⁹⁸

So the tie of nationality is what was referred to in His, the Most High's, statement: ...the dwellings in which you delight... And the Prophet said, “*I am disavowed from every Muslim who resides amongst the backs of the polytheists (Mushrikīn).*”¹⁹⁹ And the tie of nationality declares the equality between the Muslim and the non-Muslim in the same country – and this is evil (*Munkar*); he said, “*Islām dominates and it is not dominated.*”²⁰⁰ – just as the tie of nationality declares

¹⁹⁸ *Sūrat At-Tawbah*, 24

¹⁹⁹ Narrated by Abū Dāwūd from Jarīr and Al-Albānī authenticated it

²⁰⁰ Narrated by Ad-Dāraqutnī from ‘Ā’ith Ibn ‘Amr and Al-Albānī declared it “*Hasan*” **Trans. Note:** He declared it “*Hasan*” in “*Irwā’ Al-Ghalīl*” #1268 and in “*Sahīh Al-Jāmi’*” #2778

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that the Muslim who is not from the children of that country is a foreigner to the Muslim in it. And this is from the most evil of evils, as the Muslim is the brother of the Muslim, even if their countries are far apart.

And from the ties of pre-*Islāmic* ignorance (*Jāhiliyyah*), is the tie of ethnicity (*Qawmiyyah*). And that is to attribute oneself to a particular race and a particular people. The individual becomes angry for their sake and fights for their sake and raises this tie over all others. And this is a call of the pre-*Islāmic* ignorance, about which the Messenger of Allāh said, “Leave it, for it is filthy.”²⁰¹ And he judged upon the one who fights for it by (saying): “His death is a death of *Jāhiliyyah*.”²⁰² And this tie of ethnicity (*Qawmiyyah*) is what was referred to in the aforementioned verse of *At-Tawbah*, in His, the Most High’s, statement: ...**your kindred...** And in it there is a threat to the one who prioritizes it ahead of the pleasure of Allāh and His Messenger. And Allāh, Glory be to Him, has given us examples of His Prophets when they freed themselves from their disbelieving peoples. He, the Most High, said:

He said: “O Nūh, verily, he is not of your family; verily, his work is unrighteous...”²⁰³

And He, the Most High, said:

²⁰¹ Narrated by Al-Bukhārī from Jābir

²⁰² Narrated by Muslim

²⁰³ *Sūrat Hūd*, 46

Indeed there has been an excellent example for you in Ibrāhīm and those with him, when they said to their people: “Verily, we are free from you and whatever you worship besides Allāh, we have rejected you, and there has started between us and you, hostility and hatred for ever, until you believe in Allāh Alone.”

And these verses clarify how the *Shari’ah*-oriented tie is the faith (*Imān*) in Allāh, alone. And there is to be no consideration to any other tie than that. So the allegiance and the enmity are based upon the faith (*Imān*): **...until you believe in Allāh Alone.”**

And from the ties of *Jāhiliyyah* is the tie of a single language or color or shared interests. And they are blameworthy, based upon His, the Most High’s, statement:

...the wealth that you have gained, the commerce in which you fear a decline...

None of these ties have any consideration, especially when they contradict that which is necessitated from the rulings of the (*Islāmic*) legislation (*Shara’*). And these ties were not brought forward except by the disbelievers, in order to divide the Muslims

²⁰⁴ *Sūrat Al-Mumtahinah*, 4

²⁰⁵ *Sūrat At-Tawbah*, 24

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and to ignite the enmity between them. And it is what Allāh, the Most High, warned us about with His statement:

O you who believe! If you obey a group of those who were given the Scripture they would (indeed) render you disbelievers after you have believed!

...until His, the Most High's, statement:

And hold fast, all of you together, to the Rope of Allāh, and be not divided among yourselves, and remember Allāh's Favor upon you for you were enemies one to another but He joined your hearts together, so that, by His Grace, you became brethren (in Islamic Faith), ...

...until His, the Most High's, statement:

And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.²⁰⁶

²⁰⁶ *Sūrat Āl- 'Imrān*, 100 - 105

And the point of what has passed, is that the Muslim must know that the allegiance and the support and the effort; all of this is only bound by the tie of faith (*Īmān*). And there is no consideration given to any other tie, from the ties of *Jāhiliyyah* in this matter. So it is unlawful (*Harām*) upon the Muslims to have allegiance or to fight upon the likes of these ties and the Muslim in the furthest of the East is the brother of the Muslim in the furthest of the West, even if their color and their race and their language are different. And supporting him and assisting him in the truth, is obligatory in accordance with ones ability.

Section 13: And It Is Obligatory To Begin Fighting The Nearest Enemy

Due to Allāh, the Most High's, statement:

O you who believe! Fight those of the disbelievers who are close to you...²⁰⁷

Ibn Qudāmah said, “Topic: And Every People Fights Those Who Are Nearest to Them From the Enemy” – And the basic principle in this is His, the Most High's, statement: **O you who believe! Fight those of the disbelievers who are close to you...** and because the nearest one is more harmful. And in fighting him, there is the repelling of his harm away from those who are directly facing them and away from those who are behind them. And in being preoccupied with the further one, it gives him (i.e. the near enemy) an opportunity against the Muslims, due to their being

²⁰⁷ Trans. Note: *Sūrat At-Tawbah*, 123

preoccupied with other than him.” And he went on to say, “If this is established, then if there is an excuse for starting with the further one, due to his being more feared or for there being a benefit in starting with him, due to his proximity or a possibility of overpowering him, or due to the nearest one being in a *Hudnāh* or if there is something, which prevents fighting against him, then there is no problem in starting with the further one, due to it being a situation of need.”²⁰⁸

And Ibn Kathīr said in the interpretation of the aforementioned verse, “Allāh, the Most High, commands the believers to fight the disbelievers, one by one, the nearest, then those behind them. This is why the Messenger of Allāh started fighting the *Mushrikīn* within the Arabian Peninsula. Then when he finished with them and Allāh gave him control over Makkah, Al-Madīnah, At-Tā’if, Yemen, Yamāmah, Hajar, Khaybar, Hadhramawt and other areas of the Arabian Peninsula, and the people from the rest of the Arab tribes entered *Islām* in large crowds, he then stated to fight the People of the Book. So he prepared to battle the Romans who were the nearest people in proximity to the Arabian Peninsula...” until he said, “...and after him, his minister and his friend and his successor, Abū Bakr As-Siddīq may Allāh be pleased with him, and the religion had drifted a drifting in which it almost disappeared. Then Allāh the Most High, made it stable with him, so he anchored the foundations and he strengthened its supports and he returned the one fleeing the Religion and he returned the people of *Riddah* (Apostasy) to *Islām* and he took the *Zakāt* from those who refused it from the common people, and he clarified the truth to those who were ignorant of it. And he performed from the Messenger that which he carried (from him). Then he started to prepare the *Islāmic* armies to the Romans, the

²⁰⁸ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/372 - 373

worshipers of the cross. And the Persians, the worshipers of the fire. So Allāh opened, with the blessings of his mediation, the countries, and he spited Kisrā and Caesar and those who obeyed them from the slaves. And he spent their treasures in the Path of Allāh, as the Messenger of Allāh informed of that.

And the completion of the matter was upon the hands of his successor after him, and the guardian of his matter *Al-Fārūq* (The Divider) *Al-Awwāb* (The Repenter), *Shahīd Al-Mihrāb* (The Martyr of the Prayer Niche), Abī Al-Hafs, ‘Umar Ibn Al-Khattāb, may Allāh be pleased with him. So Allāh spited the disbelieving atheists with him, and he suppressed the transgressors and the hypocrites, and he conquered the kingdoms in the east and the west...” until he said, “...and whenever they conquer a people, they move to those who are behind them, then those closest to them from the arrogant immoral ones, acting upon His, the Most High’s saying: **O you who believe! Fight those of the disbelievers who are close to you... [At-Tawbah]**”

Section 14: And The Fighting Of The Resisting Apostates Is Prioritized Ahead Of the Disbelievers Of Origin

This is because the apostate is worse in crime in the religion and a more severe threat. *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said, “And the *Sunnah* has been established that the punishment of the apostate is greater than the punishment of the disbeliever (*Kāfir*) of origin, from several different points. From them is that the apostate is to be killed in every condition and the *Jizyah* is not to be implemented upon him and no protection is granted to him, as opposed to the disbeliever (*Kāfir*) of origin. And

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from it is that the apostate is executed, even if he is unable to fight, as opposed to the disbeliever from origin who is not from the people of fighting. This is because he is not to be killed according to the majority of scholars such as Abī Hanīfah and Mālik and Ahmad. And due to this, it is the juristic school (*Math'hab*) of the majority that the apostate is to be executed, as it was the juristic school (*Math'hab*) of Mālik and Ash-Shāfi'ī and Ahmad. And from them is that the apostate does not inherit nor is he to be married nor can his slaughter be eaten, as opposed to the disbeliever of origin, to other than that from the (various) rulings.”²⁰⁹

“And the disbelief (*Kufr*) of apostasy is more severe, according to the consensus (*Ijmā'*), than the disbelief (*Kufr*) of origin.”²¹⁰

And he, may Allāh be merciful to him, said elsewhere, “And As-Siddīq (i.e. Abū Bakr), may Allāh be pleased with him, and the rest of the companions (*Sahābah*) began with the *Jihād* against the apostates prior to the *Jihād* against the disbelievers of the People of the Book (*Ahl Al-Kitāb*). This is because the *Jihād* against those ones was a preservation of what had been opened to the countries of the Muslims, and so that those who wished to leave it (*Islām*) would enter into it. And the *Jihād* against those who did not fight us from the *Mushrikīn* and the People of the Book is from extending the dominance of the religion. And preserving of the capital (i.e. in terms of business transactions) is prioritized ahead of seeking profits.”²¹¹

²⁰⁹ “*Majmū' Al-Fatāwa*”, Vol. 28/534

²¹⁰ “*Majmū' Al-Fatāwa*”, Vol. 28/478

²¹¹ “*Majmū' Al-Fatāwa*”, Vol. 35/158 - 159

I say: And the companions (*Sahābah*) have formed a consensus upon beginning with fighting against the apostates and this should not be put into doubt by the sending of ‘Usāmah Ibn Zayd to Rome in the beginning of the *Khilāfah* of Abū Bakr, may Allāh be pleased with them. Because he did not do so, except because of the command of the Messenger of Allāh upon that (prior to his death). And there was great prosperity in that, from terrorizing those who had been considering apostasy.²¹²

Section 15: And If The Sultān Disbelieves And Resists, Then It Is Obligatory To Fight Him; *Fardh ‘Ayn*. And It is Prioritized Ahead Of Other Than It.

A. And this is like the condition of the rulers who rule with other than the *Shari’ah* of Islām in many of the Muslim countries.

So they are disbelievers (*Kuffār*), due to His, the Most High’s, statement:

And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.²¹³

And due to His, the Most High’s, statement:

²¹² “*Al-Bidāyah Wan-Nihāyah*”, by Ibn Kathīr, Vol. 6/304 - 305

²¹³ *Sūrat Al-Mā’idah*, 44

...yet those who disbelieve hold others as equal with their Lord.²¹⁴

...and other than that from the evidences. And most of those people claim *Islām*. So with the disbelief (*Kufr*), they became apostates.

And the truth is that those rulers, with their ruling with other than what Allāh revealed, they legislate for the people what they will from laws. So they have put themselves as lords and gods for the people besides Allāh, as He, the Most High, said:

Or have they partners with Allāh (false gods), who have instituted for them a religion which Allāh has not allowed.²¹⁵

And He, the Most High, said:

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allāh...²¹⁶

So their disbelief (*Kufr*) is an increased, compiled disbelief (*Kufr*), with their blocking the path of Allāh.

And I lengthened the discussion concerning this matter in another treatise, which was the treatise, “*Da’wat At-Tawhīd*”, as I

²¹⁴ *Sūrat Al-An’ām*, 1

²¹⁵ *Sūrat Ash-Shūra*, 21

²¹⁶ *Sūrat At-Tawbah*, 31

responded to the disputes related to the verse from *Al-Mā'ida*: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.** And I clarified how it is a general text from numerous points and that the disbelief (*Kufr*) in the verse is major disbelief (*Kufr Akbar*) and that if the sayings of a companion differ in the interpretation of a verse, then we choose whichever of their sayings is supported by the Book and the *Sunnah*, as it is approved in the (juristic) principles (*Usūl*). And I also clarified that what takes place in many of the Muslim countries now is the same situation exactly, for which the verse was revealed. And that is the removal of the ruling of the Divine *Sharī'ah* and inventing a new ruling and making it a legislation, which is held upon the people, just as the Jews removed the ruling of the *Tawrāt* of stoning the adulterer and they invented a replacement legislation. And I mentioned in my treatise, which was referred to, that the situation for which it was revealed, completely enters under the text, as it is approved by the (juristic) principles (*Usūl*). And this was what was pointed out by Ismā'īl Al-Qādhī, as Ibn Hajar narrated, “And Ismā'īl Al-Qādhī said in ‘Ahkām Al-Qur’ān’, after he mentioned the disagreement concerning that, ‘The outward meaning of the verse indicates that whoever does what they (i.e. the Jews for whom this verse was revealed) did, and invents a ruling, which contradicts the ruling of Allāh, and makes it a law (*Dīn*), which is acted upon, then what was held upon him is the same as what is held upon them in the aforementioned threat; whether he is a ruler or other than that.’²¹⁷ So everyone who takes part in fabricating the fabricated laws or rules with them; then he is a disbeliever (*Kāfir*) with the major disbelief (*Kufr Akbar*), which removes one from the *Millah* of *Islām*, even if he comes with the five pillars of *Islām*, and other than it. And this is what many of the contemporary people of knowledge have approved, as I narrated in

²¹⁷ “*Fat'h Al-Bārī*”, Vol. 13/120

the third chapter of this treatise; from Ahmad Shākir and Muhammad Hāmid Al-Fiqqī and Muhammad Ibn Ibrāhīm Āl Ash-Shaykh.

And I mentioned in the previously mentioned treatise, those to whom the label “The Ruler” can be applied to, in terms of the (*Islāmic*) legislation (*Shara'*).

B. So this apostate ruler; if he does not have any defenses, then it is obligatory to remove him immediately. And he is to be put before the judge. Then if he repents (he is spared), otherwise he is executed.

And if he repents, then he is not returned to his (position of) authority, as was the *Sunnah* of Abū Bakr and ‘Umar, may Allāh be pleased with them. And he said, “So upon you is (to follow) my *Sunnah* and the *Sunnah* of the rightly-guided and properly-directed, successors after me. Hold onto it with your molar teeth.”²¹⁸ Shaykh Al-*Islām*, Ibn Taymiyyah may Allāh be merciful to him said, “And neither ‘Umar or Abū Bakr ever employed a hypocrite (*Munāfiq*) over the Muslims, nor did they ever employ any of their relatives. And they were never taken in (the right of) Allāh, by the blame of a blamer. Rather, when they fought the people of apostasy and returned them to *Islām*, they prevented them from riding horses and carrying weapons, until the validity of their repentance was shown. And ‘Umar used to say to Sa’d Ibn Abī Waqqās, while he was the *Amīr* over ‘Irāq, ‘Do not employ any of them, nor seek their consultation in (matters of) war,’ as they were great *Amīrs* such as Talhah Al-Asadī and Al-Aqrā’ Ibn Hābis and ‘Uyaynah Ibn Hisn and Al-Ash’ath Ibn Qays

²¹⁸ Narrated by At-Tirmidhī who authenticated it from Al-‘Irbādh

Al-Kindī and the likes of them. So those ones; when Abū Bakr and ‘Umar feared a type of hypocrisy (*Nifāq*) from them, they did not put them in charge over the Muslims.”²¹⁹

C. And if the apostate ruler is resisting with a group, which fights for him, then it is obligatory to fight them and everyone who fights for him, then he is a disbeliever (Kāfir) like him.

Due to the statement of Allāh, the Most High:

And whoever from you takes them as *Awliyā'*, then surely he is one of them.²²⁰

And (the word): “...**whoever...**” from this verse is a conditional noun (*Ism Shart*), therefore it is a phrasing that includes everyone who forms allegiance to a disbeliever (*Kāfir*), and supports him through statements or actions. And *Shaykh Al-Islām*, Muhammad Ibn ‘Abdul-Wahhāb, and others said that from the nullifications of *Islām*: “The siding with the *Mushrikīn* and assisting them against the Muslims. And the evidence is His, the Most High’s, statement: **And whoever from you takes them as *Awliyā'*, then surely he is one of them. Verily, Allāh guides not those people who are the *Thālimīn*.**²²¹ Therefore all of those people are to be fought with the fighting of the apostates, even if they utter the two testimonies (*Shahādatayn*) and openly show some of the outward characteristics of *Islām*, due to their coming with that which nullifies the foundation of *Islām*. And Allāh, the Most High, said:

²¹⁹ “*Majmū’ Al-Fatāwa*”, Vol. 35/65

²²⁰ *Sūrat Al-Mā’idah*, 51

²²¹ “*Majmū’at At-Tawhīd*”, by Ibn Taymiyyah and Ibn ‘Abdul-Wahhāb, page 38

Those who believe, fight in the Cause of Allāh, and those who disbelieve, fight in the cause of *Tāghūt*.²²²

So everyone who supports the disbeliever through statements or actions in order to support his disbelief, then he is a disbeliever (*Kāfir*) like him. And this is his outward ruling in this life, as one who resists against the people of faith (*Imān*) and *Jihād*. And he might be a Muslim internally, due to a preventative factor, (which prevents) his disbelief (*Takfīr*), or a misconception and the likes of that, except that this does not prevent the judging upon him with disbelief (*Kufr*), due to the presence of that which necessitates this about him. And this is the *Sunnah* concerning the judging upon those who resist. And I lengthened the discussion about this issue in another treatise. And this is from the knowledge, which must be spread so that those who are destroyed; are destroyed upon clarity, and those who live; live upon clarity.

D. As for the evidence upon the obligation of rebelling against the ruler if he disbelieves, then it is the Hadīth of ‘Ubādah Ibn As-Sāmit, may Allāh be pleased with him.

He said, “The Messenger of Allāh called us, so we gave *Bay’ah* to him. So from what he took upon us was that we offer *Bay’ah* upon listening and obeying, during our eagerness or reluctance and in our difficult times and in our easy times and favoring (the commands) instead of our own (desires), and that we would not dispute the authority from its people.’ He said, ‘Unless you see an open disbelief (*Kufr*), for which you have an evidence

²²² “*Sūrat An-Nisā’*, 76

*from Allāh about it.”*²²³ An-Nawawī said, “Al-Qādhī ‘Iyādh said, ‘The scholars have formed a consensus that the leadership (*Imāmah*) is not to be contracted to a disbeliever (*Kāfir*) and that if disbelief (*Kufr*) comes from him, then he is to be removed.’ – until he said – “So if disbelief (*Kufr*) and changing the legislation (*Shara’*) or innovation (*Bid’ah*) comes from him, then he has left the status of authority and his (right) of obedience falls and it becomes obligatory upon the Muslims to rise up against him and remove him and set up a just *Imām*, if that is possible for them. Then if that is not possible, except for a group (*Tā’ifah*), then it is obligatory upon them (i.e. a group) to rise up and remove the disbeliever (*Kāfir*). And that is not obligatory concerning the innovator, unless they assume that they are able (to do so). Then if the inability is confirmed, then the uprising is not obligatory, but the Muslims must make *Hijrah* away from his land to other than it, and flee with his religion.”²²⁴

I say: And this consensus, which Al-Qādhī ‘Iyādh mentioned; Ibn Hajar narrated it from Ibn Battāl,²²⁵ and from Ibn At-Tīn from Ad-Dāwūdī²²⁶ and from Ibn At-Tīn (himself),²²⁷ and then Ibn Hajar approved it himself.²²⁸

And Ibn Hajar said, if the ruler disbelieves, “And its summary is that he is to be removed because of disbelief (*Kufr*), according to the consensus (*Ijmā’*). So it is obligatory upon each Muslim to rise up for that.”²²⁹

²²³ Agreed upon and this phrasing was from that of Muslim

²²⁴ “*Sahīh Muslim Bi ’Sharb’ An-Nawawī: Kitāb Al-Imārah*”, Vol. 12/229

²²⁵ “*Fat’h Al-Bārī*”, Vol. 13/7

²²⁶ “*Fat’h Al-Bārī*”, Vol. 13/8

²²⁷ “*Fat’h Al-Bārī*”, Vol. 13/116

²²⁸ “*Fat’h Al-Bārī*”, Vol. 13/123

²²⁹ “*Fat’h Al-Bārī*”, Vol. 13/123

E. And if the Muslims are unable to do that, then becoming prepared is obligatory.

Just as Ibn Taymiyyah said, “Just as the preparation is obligatory by making ready the power from steeds of war, in those instances when it (i.e. the *Jihād*) collapses, due to inability, (then preparing to do so also become obligatory) because whatever is not fulfilled except with something else, then that thing (also) becomes obligatory.”²³⁰ And He, the Most High, said:

And let not those who disbelieve think that they can outstrip (escape from the punishment). Verily, they will never be able to save themselves (from Allāh's Punishment). And make ready against them all you can of power²³¹

And he said, “Verily, the power is in shooting,” three times.²³²

I say: From what has passed, you know that the obligation upon the Muslims with respect to the *Tawāghīt* is approved in the *Shari’ah*-oriented text, which it is not permitted for a Muslim to contradict. And it is: “...and that we would not dispute the authority from its people.” He said, ‘Unless you see an open disbelief (*Kufr*), for which you have an evidence from Allāh about it.’ And the consensus (*Ijmā’*) was formed upon the obligation of rebelling against them, as I mentioned previously. And because of that, it is not permitted to perform deductive reasoning (*Ijtihād*)

²³⁰ “*Majmū’ Al-Fatāwa*”, 28/259

²³¹ *Sūrat Al-Anfāl*, 59-60

²³² Narrated by Muslim from ‘Uqbah Ibn ‘Āmir

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regarding the method by which to confront the *Tawāghīt*, while there is a text and the consensus (*Ijmā'*). And whoever resorts to deductive reasoning (*Ijtihād*), while there is a text and the consensus (*Ijmā'*) for this situation; then he has clearly gone far astray. Such as those who strive to implement the ruling of *Islām* through the path of “The Parliaments” of Shirk and the likes of that. And whoever says that the inability prevents him from rebelling against them, then we say to him that the obligation, whenever there is inability, is to become prepared, not to participate with them in their parliaments of *Shirk*. Then if the inability is valid, the *Hijrah* becomes obligatory. Then if he is unable to perform the *Hijrah*, then he remains as a weak one making *Du'a'* to Allāh, the Most High, as the weak believers:

...those whose say: “Our Lord! Rescue us from this town whose people are oppressors; and raise for us from You one who will protect, and raise for us from You one who will help.”

²³³

As for him participating with them in their legislative parliaments, then no Muslim would do this because this participation means being satisfied with Democracy, which gives the leadership to the people, in the sense that opinion of the majority of those who represent the people becomes the legislation, which is held upon the nation. And this is the disbelief, which was mentioned in His, the Most High's, statement:

²³³ *Sūrat An-Nisā'*, 75

...and that none of us shall take one another as lords besides Allāh.²³⁴

So the members of these parliaments are the lords in the aforementioned verse. And this is the essence of the disbelief (*Kufr*). And whoever is ignorant of this, then it is obligatory to inform him. He, the Most High, said:

And it has already been revealed to you in the Book that when you hear the Verses of Allāh being denied and mocked at, then sit not with them, until they engage in a talk other than that; (otherwise) certainly, in that case you would be like them.²³⁵

So whoever sits with them and witnesses their disbelief (*Kufr*), then he is like them in disbelief (*Kufr*).

F. And the Jihād against those apostate rulers and their helpers, is Fardh ‘Ayn upon every Muslim from all those besides the ones excused by the Sharī’ah.

And it has passed that the *Jihād* becomes specified in three instances. From them is when the disbelieving (*Kāfir*) enemy invades the Muslim country. And this is the situation of those apostates who overpowered the Muslims. So they are a disbelieving enemy that has invaded a country of the Muslims, therefore fighting against them becomes *Fardh ‘Ayn*. And due to this, Al-Qādī ‘Iyādh said, “...and it becomes obligatory upon the

²³⁴ *Sūrat Āl-‘Imrān*, 64

²³⁵ *Sūrat An-Nisā’*, 140

Muslims to rise up against him...” And the words of Ibn Hajar are even clearer in demonstrating the absoluteness, as he said, “And its summary is that he is to be removed because of disbelief (*Kufr*), according to the consensus (*Ijmā’*). So it is obligatory upon each Muslim to rise up for that.”²³⁶ And this is the understanding of the *Hadīth* of ‘Ubādah Ibn As-Sāmit, may Allāh be pleased with him.

I say: And the fact that the *Jihād* against those *Tawāghīt* is *Fardh ‘Ayn* is from the knowledge, which is obligatory to be spread amongst the general population of the Muslims, so that every Muslim will know that he is personally commanded by his Lord, Glory be to Him, to fight them. (This is) because those *Tawāghīt* set up a fence of lethal alienation between the general Muslims and those holding steadfast to their religion so that it will be easy for them (i.e. the *Tawāghīt*) to strike those who hold steadfast to their religion, (while they are) surrounded by the ignorance of the general population and their silence. This, despite how every individual from the general population was addressed with the same obligation, as long as he is Muslim, even if he is a sinful one (*Fāsiq*), who commits that which necessitates punishment (this address still applies) because the sinfulness (*Fisq*) does not remove the *Shari‘ah*-oriented address of *Jihād*.²³⁷ So the obligation upon those holding steadfast to their religion, is to break down these barriers of alienation by informing the general population, through the path of one-on-one *Da’wah* and the general *Da’wah*, with the obligation of this *Jihād*, so that the issue of the *Jihād* will turn into an issue of all the Muslims, as opposed to an issue of the groups of the elite, which could be struck in a day and a night (i.e. easily and quickly). And also so that the *Jihād* will switch from an issue of the specific population to an issue of the general population. And

²³⁶ “*Fat’h Al-Bārī*”, Vol. 13/123

²³⁷ Look to “Subsection 4”

here, the circle will flip (i.e. the tables will turn) against the *Tawāghīt* and their helpers. Then their alienation will take place after their disbelief (*Kufr*) and their crimes have been uncovered. He, the Most High, said:

...and turn them out from where they have turned you out.²³⁸

And Allāh, the Most High, said to His Prophet :
“*And expel them just as they have expelled you.*”²³⁹ So just as the *Tawāghīt* expelled those who hold steadfast to their religion away from the general population by means of false claims and the spreading of ignorance in the religion, it is obligatory upon those holding steadfast, to alienate the *Tawāghīt* from the general population by spreading the *Shari’ah*-oriented knowledge concerning the obligation of performing *Jihād* against them. And just as the *Tawāghīt* removed those who hold steadfast to their religion, from their money and sanctioned them and restricted their livelihood upon them, He, the Most High, said:

...for the poor emigrants, who were expelled from their homes and their money...²⁴⁰

Then likewise, it is obligatory upon those holding steadfast upon their religion, to part the *Tawāghīt* from their money, with which they use to recruit the armies to wage war against Allāh and His Messenger . And due to that, he

²³⁸ *Sūrat Al-Baqarah*, 191

²³⁹ Narrated by Muslim from ‘Iyādh Ibn Himār

²⁴⁰ *Sūrat Al-Hashr*, 8

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suplicated against Quraysh for the famine, as ‘Abdullāh Ibn Mas’ūd said, “When Quraysh overpowered the Prophet

and called (the people) to disobey him, he said, *‘O Allāh, assist me against them with seven (years of famine) like the seven of Yūsuf.’* So they were struck with a year in which they ate the bones and the dead (animals), due to the hardships.”²⁴¹

And it is unlawful (*Harām*) upon every Muslim to pay money to those *Tawāghīt* in any form, from tariffs and taxes and the likes of that, except in necessity or by compulsion. He, the Most High, said:

...and do not help one another in sin and transgression.²⁴²

And He, the Most High, said:

And give not unto the foolish your money...²⁴³

And it must be known that there is no *Sharī’ah*-based validity to these *Tāghūtī* governments nor their laws, because he

said, “*Whoever does an action, which does not comply upon our matter; then it is rejected.*”²⁴⁴ And I have mentioned this in the “Sixth Fundamental” from “The Fundamentals of Holding Steadfast to the Book and the *Sunnah*”, just as it is obligatory upon

²⁴¹ Narrated by Al-Bukhārī, *Hadīth* #4,822

²⁴² *Sūrat Al-Mā’idah*, 2

²⁴³ *Sūrat An-Nisā’*, 5

²⁴⁴ Narrated by Muslim

the Muslims to strive to take over the money of the disbelievers by force, and this is the *Ghanīmah*, and with deception and the likes of it, and this is the *Fay'*, And the Prophet ﷺ went out to take over the money of Quraysh, so that the Muslims could gain benefit from it, then this lead to the event of Badr. And in general, it is obligatory to change the issue of the *Jihād* from a matter of the specific population, to a matter of the general population, because restricting this issue to the specific population will not bring the fruit of change, which is hoped for. This is because, in that, there is a contradiction to the unchanging rule:

Verily! Allāh will not change the condition of a people until they change what is in themselves.

And the meaning of this is not that the entire population within a specific country must participate in this issue, as this is improbable. But what is sought is that a certain percentage of the people participate to form the strength, which can force the *Islāmic* system and then protect it from its foreign and domestic enemies. As for the rest of the people, then it is sufficient that they are morally supportive or at least neutral until the truth is clarified to them. And also, it is obligatory to educate the general population that whoever from them is unable to have a positive role in confronting the *Tawāghīt*, then at least he should not have a negative role, which would manifest itself into not assisting the *Tawāghīt*. And by escalating the confrontation with the *Tawāghīt*, their attacks and their harm to the believers will escalate. And with that, the issue of the *Jihād* will enter a new household from the homes of the Muslims each day, and the *Da'wah* will gain new supporters, until the promise of Allāh comes. Verily He never breaks the promise. He, the Most High, said:

And We wished to do a favour to those who were weak (and oppressed) in the land, and to make them rulers and to make them the inheritors, and to establish them in the land, and We let Fir'awn (Pharaoh) and Hāmān and their hosts receive from them that which they feared.²⁴⁵

G. And the fighting against those apostate rulers is put ahead of fighting others besides them from the disbelievers of origin.

...from Jews and Christians and idolaters. And this is from three points:

The First: The fact that it is specified *Jihād Dafa'* and it is put ahead of *Jihād At-Talab*. As for it being *Jihād Dafa'*, then this is because those rulers are a disbelieving (*Kāfir*) enemy, which has taken over a Muslim country. And Ibn Taymiyyah, may Allāh be merciful to him, said, “As for the fighting for defense, then it is the most urgent type of repelling the intruder away from the sanctities and the religion. So it is obligatory according to the consensus (*Ijmā'*). So the intruding enemy who corrupts the religion and this life; there is nothing more obligatory after faith, than to repel it. So there are no conditions for it, rather it must be repelled using any means available.”²⁴⁶ And from “Section 7”, (we see that) the *Jihād* becomes specified if the enemy enters a country of the Muslims.

²⁴⁵ *Sūrat al-Qasas*, 5-6

²⁴⁶ “*Al-Ikhtiyārāt Al-Fiqhīyyah*”, page 309

The Second: The fact that they are apostates; and it has passed in “Section 14” that fighting the apostate is prioritized ahead of fighting against the disbeliever (*Kāfir*) from origin.

The Third: The fact that they are the nearest to the Muslims and the more severe turmoil (*Fitnah*) and threat. And Allāh, the Most High, said:

O you who believe! Fight those of the disbelievers who are close to you...²⁴⁷

And this has passed in “Section 13”.

Misconception: (The fact that the apostate ruler is not a foreigner to the country means that the rulings concerning the disbelieving invader do not apply to him.)

And there is a misconception concerning the first from the aforementioned three points. And this saying from some people, that the description of those apostates, who rule the countries of the Muslims, as being like a disbeliever (*Kāfir*) enemy who has occupied a country of the Muslims is incorrect (as they say), because this (ruling only) concerns those who are a foreign enemy to the country of *Islām*. As for those rulers, then they are from the people of the country itself, therefore (they say), there is a difference! And these words were said in order to invalidate using the argument of the *Fatwā* of *Shaykh Al-Islām*, Ibn Taymiyyah, about the Tartars who resisted against the *Sharī’ah*, while they

²⁴⁷ *Sūrat At-Tawbah*, 123

claimed *Islām*.²⁴⁸ It was said that this *Fatwā* can not be used as proof because the Tartars were foreign to the countries of *Islām*, and I pointed to the informative benefits of this *Fatwā* in my treatise “*Da’wat At-Tawhīd*”.

And in response to this, we say: The matter of the apostate ruler has a separate text, which is the *Hadīth* of ‘Ubādah Ibn As-Sāmit, may Allāh be pleased with him: “And that we would not dispute the authority from its people.” He said, ‘*Unless you see from them an open disbelief (Kufr), for which you have an evidence from Allāh, concerning it.*’” And I mentioned in my treatise, which was referred to, that this *Hadīth* restricts all of the *Hadīths* narrated concerning remaining patient with the tyrannical leaders, such as the *Hadīth* of Ibn ‘Abbās: “*Whoever sees from the Sultān, something that he hates, then he must be patient.*” And the *Hadīth* of ‘Awf Ibn Mālik: “*No, as long as they establish the prayer amongst you,*” and the likes of those. And due to this, Al-Bukhārī narrated the *Hadīth* of ‘Ubādah after the *Hadīth* of Ibn ‘Abbās, in the second chapter from “*Kitāb Al-Fitan*”, from his “*Sahīh*”, which was an indication from him, alluding to this restriction. And this is sufficient for whoever has a heart or was endowed with a sense of hearing and foresight, concerning the obligation of rebelling against those rulers.

As for these three points and other than them, then we have not mentioned them in order to clarify the compliance with the (*Islāmic*) legislation (*Shara’*) of rebelling against them – as this is (already) affirmed by the *Hadīth* of ‘Ubādah – but rather (we mention them) to clarify other informative benefits, such as the emphasis upon the rebellion and placing it in priority ahead of other than it, from the forms of *Jihād*.

²⁴⁸ “*Majmū’ Al-Fatāwa*”, Vol. 28/501 - 551

And in refutation of this misconception, we say: We have not heard that the *Sharī'ah* has come differentiating between the foreign disbeliever (*Kāfir*) and the domestic disbeliever (*Kāfir*) in that which results from his disbelief, in terms of rulings. He, the Most High, said:

He said: “O Nūh (Noah), surely, he is not of your family; verily, his work is unrighteous...²⁴⁹

And He, the Most High, said:

Indeed there has been an excellent example for you in Ibrāhīm (Abraham) and those with him, when they said to their people: “Verily, we are free from you and whatever you worship besides Allāh, we have rejected you, and there has started between us and you, hostility and hatred for ever, until you believe in Allāh Alone.”²⁵⁰

And He, the Most High, said:

Verily, the disbelievers are ever unto you open enemies.²⁵¹

²⁴⁹ *Sūrat Hūd*, 46

²⁵⁰ *Sūrat Al-Mumtahinah*, 4

²⁵¹ *Sūrat An-Nisā'*, 101

And the point from these verses is to clarify that the enmity between the believer and the disbeliever is based upon the characteristic of disbelief. This is the basis for the ruling; not any other characteristic, such as being foreign or domestic. This is because the enmity is obligatory even if the disbeliever (*Kāfir*) is your son or your people or your tribe. So the basis for the ruling (*Hukm*) is the characteristic of disbelief and none other. And whatever is said concerning the enmity, is also said concerning the punishment, as the punishment for the disbeliever (*Kāfir*) is based upon his disbelief. In other words, the characteristic of disbelief being present within him, not due to any other characteristic. And this is the basis for the ruling, like the saying of the Prophet

, “*Whoever changes his religion, then kill him.*”²⁵² So he made the reason for his execution to be the changing of his religion, in other words, the disbelief (*Kufr*) after *Islām*. This is the basis for the ruling. If this becomes clear, then we say that the characteristic of disbelief (*Kufr*) upon which the punishment is based, whether it is the execution of the captured one and the fighting against the resisting one – this characteristic is present in both the foreign or the domestic disbeliever (*Kāfir*) equally. And if he overpowers the Muslims in any given country, then there is no difference between the fact that he came from outside the country or the fact that he was from its people, who ruled it and then disbelieved, or (even) if he disbelieved and then later he overpowered it, because the basis of the ruling is present in all of these circumstances. And whoever is from the people of the country and then disbelieves, then he leaves the fact that he is from its Muslim people, due to his disbelief (*Kufr*), and he becomes foreign to them, due to His, the Most High’s, statement:

²⁵² Agreed upon

And Nūh (Noah) called upon his Lord and said, “O my Lord, verily, my son is of my family! And certainly, Your Promise is true, and You are the Most Just of the judges.” He said: “O Nūh (Noah), surely, he is not of your family; verily, his work is unrighteous.”²⁵³

Therefore, he leaves his people, due to his disbelief (*Kufr*) and becomes foreign to them.

Even though there are secondary characteristics, which affect the punishment; and from them is to differentiate between the disbeliever (*Kāfir*) of origin and the apostate, as the apostate has a more severe punishment, like it came in “Section 14”. And also the differentiating between the *Muhārib* disbeliever and the disbeliever (*Kāfir*) with whom a peace treaty has been contracted, according to the three (*Imāms*), as opposed to *Ash-Shāfi’ī*. And also the differentiating between the near and the far in terms of the priority for the *Jihād* – “Section 13”.

And from here, you see that those apostate rulers have had all three of the descriptions of severity present within them, such as the apostasy and the *Muhārabah* and the nearness (in proximity) as opposed to the descriptions of leniency, which oppose them, such as disbelief (*Kufr*) from origin and the *Musālamah* and the far distance (in proximity).

²⁵³ *Sūrat Hūd*, 45 - 46

And like what has passed, is that every intoxicant is unlawful (*Harām*), whether it is called wine or alcohol or *Nabīth*, or whether it was imported or domestic, or whether it is white or red. None of these characteristics affect the ruling, rather the affecting characteristic, which is the reason and the basis for the ruling, is that it intoxicates. As long as this characteristic exists – without giving any consideration to the other characteristics – then the ruling and what results from it is present. And here also, there might be a secondary characteristic, which affects the punishment, such as the one who drinks wine during the daytime of *Ramadhān*. In that case, the penalty (*Hadd*) is to be implemented upon him as well as an additional *Ta’zīr*, due to the sacredness of that month. And if it weren’t for the original characteristic; “the intoxication”, then there would have been no penalty obligatory upon him to begin with.

Therefore, the one who claims a differentiation between the foreign disbeliever and the domestic disbeliever, in the rulings, is like the one who claims a differentiation between the imported wine and the domestic wine. So contemplate this.

H. And it is not a condition to fight them that the Mujāhid Muslims be divided (from the enemy) in a separate state.

...away from the state of the apostate ruler and his group (*Tā’ifah*), as some people claim. And sufficient for you to invalidate this condition, is what I narrated earlier from Ibn Taymiyyah from the consensus (*Ijmā’*) upon the obligation of fighting the enemy if it invades a country of the Muslims. So where is the separate state in this case? Rather, this is one of the situations in which the *Jihād* becomes specified, as I mentioned in “Section 7”. And there is no *Shari’ah*-oriented evidence narrated with this condition. And every condition, which is not in the Book of Allāh; then it is false. And

no one from the people of knowledge pointed to this. The most of what Ibn Qudāmah mentioned was that if the enemy comes near a country, then it is permissible for its people to withdraw to a fortress from which they can take cover in. As for the issue of the disbelieving, apostate ruler, then it has a clear, open text. And that is the *Hadīth* of ‘Ubādah Ibn As-Sāmit, may Allāh be pleased with him: “...that we would not dispute the authority from its people.” He said, ‘*Unless you see from them an open disbelief (Kufr), for which you have an evidence from Allāh, concerning it.*’ ”²⁵⁴ And he did not stipulate in this *Hadīth*, nor in other than it, separation or being withdrawn, nor did any of the people of knowledge mention this, as I narrated from *Al-Qādhi* ‘Iyādh and Ibn Hajar, in the explanation of this *Hadīth*. Then if the one who stipulates this condition, “The separation of the two states”, says, ‘It is obligatory, by the intellect and the (*Islāmic*) legislation (*Shara’*)’ then we say to him that the intellect does not obligate anything as we mentioned in “The Fundamentals of Holding Steadfast to the Book and the *Sunnah*”. And if he says that it is an issue of deductive reasoning (*Ijtihād*), then we say that if we were to reach to deductive reasoning (*Ijtihād*), then the matter would be left up to the people of military expertise, due to His, the Most High’s, statement:

Verily! Allāh commands that you should render back the trusts to those, to whom they are due...²⁵⁵

As for the (*Islāmic*) legislative side, then we say that there was no condition for the obligation of rebelling against the ruler, other

²⁵⁴ Agreed upon

²⁵⁵ *Sūrat An-Nisā’*, 58

than the ability (to do so) from the numbers and the preparation. And this also is left up to the people of military expertise to determine the sought level. And whoever risks himself and goes out to the *Jihād* by himself, then that is permissible for him and he is rewarded, by the permission of Allāh, the Most High, unless he is part of a *Mujāhid* group (*Tā'ifah*). In this case, he must not go out, except with the permission of the *Amīr*. As for the evidence upon that permissibility upon him going out alone, then it is the statement of Allāh, the Most High:

Then fight in the Cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers...²⁵⁶

And Ibn Hazm said, “And the people of the disbelief (*Kufr*) are battled alongside every sinful one (*Fāsiq*) from the *Amīrs* or non-sinful one. And with the victor and the veteran just as the battle is fought alongside the *Imām* and the individual battles them alone as well, if he is able.”²⁵⁷

I say: And the *Jihād* against those *Tawāghīt* is *Fardh ‘Ayn*, therefore it is for the individual to do it alone if he wishes, especially if he has an opportunity against one of them. And if it is not obligatory upon him to confront a great quantity of the disbelievers. Rather, it is permitted for him to flee, according the numbers. Then if he stands firm and has an intention for the martyrdom (*Shahādah*), then that is permitted for him and it is good:

²⁵⁶ *Sūrat An-Nisā'*, 84

²⁵⁷ “*Al-Muhillī*”, Vol. 7/299

And of mankind is he who would sell himself, seeking the Pleasure of Allāh.²⁵⁸

As for the obligation, then it is the fighting against them in a group, as the goal is to make the religion dominant: ...**and the religion will all be for Allāh.** And this will not come by fighting individually. And whoever follows a *Mujāhid* group, then he must not fight except with the permission of his *Amīr*, due to His, the Most High's, statement:

...and when they are with him on some common matter, they go not out until they have asked his permission.²⁵⁹

And more will come for this in the Fifth Chapter, by the permission of Allāh, the Most High.

And a group (*Jamā'ah*) from the Muslims rebelled against the apostate rulers during the lifetime of the Prophet as well as after him, without the separation of the states or the withdrawal, as when Al-Aswad Al-‘Ansī, the liar who claimed the Prophethood, emerged and took over Yemen and conquered it. Then Fayrūz Ad-Daylamī deceived him – while he was from his supporters as it appeared – until he killed him. And that was during the lifetime of the Prophet .²⁶⁰

²⁵⁸ *Sūrat Al-Baqarah*, 207

²⁵⁹ *Sūrat An-Nūr*, 62

²⁶⁰ “*Al-Bidāyah Wan-Nihāyah*”, by Ibn Kathīr, Vol. 6/307 - 310

And the Prophet did not object to that, nor did anyone from the companions (*Sahābah*). And no one said, “How could Fayrūz kill Al-Aswad, before departing to a separate land?” Also, Yazīd Ibn Al-Walīd and an assembly (*Tā’ifah*) with him, rebelled against the *Khalīfah*, Al-Walīd Ibn Yazīd, when he was accused of slackness in the religion, until they executed him, without being divided into two states.²⁶¹

And we will suffice upon these two examples for the sake of brevity.

And the people of this misconception use as evidence, that the Prophet did not begin the fighting except after the *Hijrah*, when the Muslims had a separate state in Al-Madīnah, in which they were separated from their enemy. And this saying is not evidence as there is no restriction in it; meaning that there is no *Shari’ah*-oriented text narrated, which prevents the fighting except in the likes of this situation, and this is clear. And also, this period in time was one of legislation, but as for now, and since the death of the Prophet , the *Shari’ah* and its rulings have been completed:

This day, I have completed your religion for you...²⁶²

And the consensus (*Ijmā’*) has been formed that if the enemy comes into a country, then it is specified upon its people to fight them – in other words, the repelling of the disbelievers becomes *Fardh ‘Ayn* upon the Muslims of this country. So here are the

²⁶¹ “*Al-Bidāyah Wan-Nihāyah*”, by Ibn Kathīr, Vol. 10/6 - 11

²⁶² **Trans. Note:** *Sūrat Al-Mā’idah*, 3

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Muslims and their enemy in one state, while the Muslims have lost the separation of their state in the battle. Yet despite that, it is obligatory upon them specifically, to fight them, according to consensus (*Ijmā'*).²⁶³ The rebellion against the apostate ruler is a command, which is based upon ability. And this is different from country to country. And the people of expertise from the practical point of view, are the ones to speak about it. And if Allāh, Glory be to Him, knows the good intention of a *Mujāhid* assembly (*Tā'ifah*), then He will guide them and make easy for them, that which He is pleased with. Allāh, the Most High, said:

Then He knew what was in their hearts, and He sent down *As-Sakīnah* (i.e. tranquility) upon them...²⁶⁴

And He, the Most High, said:

Verily, those who believe and do deeds of righteousness, their Lord will guide them through their Faith.²⁶⁵

As for those who remain behind from the specified *Jihād*, then the remaining behind is not sufficient for them. Rather, they prevent others (from going out) and they betray them with these misconceptions, which are a punishment for them for their sitting and their remaining behind, as He, the Most High, said:

²⁶³ As I narrated from Ibn Taymiyyah: “*Al-Ikhtiyārāt Al-Fiq’hiyyah*”, page 309

²⁶⁴ *Sūrat Al-Fat’h*, 18

²⁶⁵ *Sūrat Yūnus*, 9

They are content to be with those (the women) who sit behind (at home). Their hearts are sealed up (from all kinds of goodness and right guidance), so they understand not.²⁶⁶

So when they remained behind, Allāh sealed their hearts with incomprehension. So they began searching for misconceptions so that they could justify their remaining behind and keep others behind besides them, so that they would add their burdens to their burdens. And likewise, one bad deed spawns another bad deed. He, the Most High, said:

If you march not forth, He will punish you with a painful torment and will replace you by another people, and you cannot harm Him at all, and Allāh is Able to do all things. If you help him not (it does not matter), for Allāh did indeed help him...²⁶⁷

And this saying (i.e. opinion) of the condition of the two states being separate for the *Jihād* to be obligatory is a false saying and it leads to the end of the *Jihād*; particularly the *Jihād Ad-Dafa'*. I say: Also, this saying (i.e. opinion) of the two states being separate means the surrendering to the present situation and remaining silent about those *Tawāghīt* who rule the Muslim countries. And it means the removal of the obligation of the specified *Jihād* away from the individual Muslims of these countries. And this saying leads to the eradication of *Islām* completely from these countries in a short period. We seek refuge in Allāh from that – but it is not

²⁶⁶ *Sūrat At-Tawbah*, 87

²⁶⁷ *Sūrat At-Tawbah*, 39 - 40

inconceivable – because, in how many countries were great *Islāmic* kingdoms established, while today they have become states of *Kufr*? *Islām* has become merely a trace after it had been an actual reality in them, such as Al-Andulus and Turkistan and Bukhārā and Samarcand and the Balkans and others? And how many countries did the groups of those traitors collapse, due to their satanic deceptions, as in what happened in India, which used to be an *Islāmic* kingdom, then it was occupied by the English. And the evil scholars removed the *Jihād* with the argument that the English were the people of authority (*Ulū Al-Amr*), who it is obligatory to obey, due to His, the Most High's, statement:

Obey Allāh and obey the Messenger, and those of you (Muslims) who are in authority.²⁶⁸

Those misconceptions were narrated by Muhammad Rashīd Ridhā, in his *Tafsīr “Al-Manār”*, and to Allāh is the dominion from before and after. And this is an example of what has been narrated from ‘Umar Ibn Al-Khattāb, may Allāh be pleased with him, about what will destroy the religion: “...the arguing of a hypocrite who uses the *Qur’ān*.” And whomsoever from the scholars prevents the Muslims from *Jihād*, using these misconceptions, out of favoritism and out of support for the disbeliever ruler; then there is no doubt concerning the *Kufr* of this scholar. He is an apostate, out of the religion of *Islām* and his ruling is the (same) ruling as his governing master. He, the Most High, said:

²⁶⁸ Trans. Note: *Sūrat An-Nisā’*, 59

And if any amongst you takes them as *Awliyā'*, then surely he is one of them.²⁶⁹

I. And others stipulate the separation of the disbelieving assembly from those Muslims who are mixed in with it.

And this has (already) taken place because in most cases, the assembly (*Tā'ifah*) who supports the disbelieving ruler is differentiated by specific clothing and it has specific bases and known regions. And this is not hidden to anyone. As for when the Muslims are mixed in with them, then either they are not from the disbelieving assembly (*Tā'ifah*) to begin with, but became mixed with them during battle, or they are from the assembly and they take the ruling of *Islām* on the inside, such as the compelled one or the one who conceals his faith (*Īmān*) in order to spy on them. And all of them; their condition would not be except for one of two situations:

The First: That they cannot be differentiated from the people of disbelief (*Kufr*) by the outside; then this does not prevent fighting them in any circumstances, as *Shaykh Al-Islām*, Ibn Taymiyyah mentioned. He said, “And whoever they bring out with them from compulsion, then he will be resurrected upon his intention. And it is upon us to fight the entire army because the compelled one cannot be differentiated from other than him. And it has been affirmed in the *Sahīh* from the Prophet [صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ] that he said, ‘*An army from the people will wage war against this house. So while they are in a barren region from the land, they will be swallowed up.*’ So it was asked, ‘O Messenger of Allāh, within them is a compelled one?’ So he said, ‘*They will be resurrected*

²⁶⁹ *Sūrat Al-Mā'idah*, 51

upon their intentions. ” – until he said – “And in the phrasing of Al-Bukhārī, from ‘Ā’ishah, she said, ‘The Messenger of Allaah

said, ‘*An army will battle the Ka’bah. Then when they are in a barren region from the land, their first and their last shall be swallowed up.*’ So she said, ‘I said, ‘O Messenger of Allāh, how will their first and their last be swallowed up, while there are their markets and those who are not from them, within them?’’’ He said, ‘*Their first and their last shall be swallowed up. Then they shall be resurrected upon their intentions.* ’’ – until he said – “So Allāh, the Most High, destroys the army, which intended to violate His sanctities; both the compelled one within them as well as the one who was not compelled, despite His ability to differentiate between them, while He resurrects them upon their intentions. So how can it be obligatory upon the *Mujāhidīn* believers to differentiate between the compelled one and those besides them, while they do not know that?! Rather, if a claimer claims that he went out, due to compulsion, then that would not benefit him by his claim alone, as it is narrated that Al-‘Abbās Ibn ‘Abdul-Muttalib said to the Prophet , when the Muslims took him prisoner on the Day of Badr, ‘O Messenger of Allāh, verily I was compelled.’ So he said, ‘*As for your outside, then it was against us, as for your inside, then it is for Allāh (to decide).* ’’²⁷⁰

And he, may Allāh be merciful to him, said elsewhere, “And we do not know the one who is compelled and we are unable to differentiate. So if we kill them upon the order of Allāh, then we are rewarded and excused and they are upon their intentions. So whoever is compelled and is unable to resist, then he will be resurrected upon his intention on the Day of Resurrection. So if he was killed for the establishment of the religion, then that is no

²⁷⁰ “*Majmū’ Al-Fatāwa*”, Vol. 28/535-537

greater (i.e. the same as) than the one who was killed from the army of the Muslims.”²⁷¹

I say: And I have explained in the other treatise, the conditions for the compulsion, which is given consideration in the (*Islāmic*) legislation (*Shara'*) upon complying with the disbelievers upon what they want, and that the conditions are not present in the great majority of the helpers of those rulers. And I also mentioned that the compulsion would not be an excuse, which permits the killing of a Muslim, according to the consensus (*Ijmā'*) of the scholars, with no differences. So how about the one who spies upon the Muslims and kills them in support of the disbeliever (*Kāfir*)?

The Second Condition: That the Muslims, who are in the ranks of the enemies, are clearly differentiated and known to the soldiers of *Islām*. Then this is the issue of *Tatarrus*.²⁷² Ibn Taymiyyah, may Allāh be merciful to him, said, “Rather, (even) if there are righteous people from the best of mankind within them, and it is not possible to fight them except by killing those people, then they would be killed as well. This is because the *Imāms* are in agreement that if the disbelievers use *Tatarrus* against the Muslims, and there is fear for the Muslims if they do not fight, then it is allowed for us to shoot them, while intending the disbelievers. And (even) if we do not fear for the Muslims, then it is also allowed to shoot those Muslims, based upon one of the two scholarly opinions. And whoever is killed for the *Jihād*, which Allāh and His Messenger have ordered, even in cases when internally, he may consider this a transgression, then he is a Martyr

²⁷¹ “*Majmū' Al-Fatāwa*”, Vol. 28/547

²⁷² **Trans. Note:** “*Tatarrus*” is when the enemies hold the Muslim captives as human shields in the hopes that the Muslims would not launch assaults upon them for fear of harming or killing their Muslim brothers.

and he will be resurrected upon his intention. And his being killed is no greater evil (*Fasād*) than those who are being killed from the *Mujāhidīn* believers. And if the *Jihād* is obligatory even if from the Muslims is killed that which Allāh willed, then the killing of those killed from the Muslims in their ranks, due to the what the *Jihād* requires, is no greater than this. The Prophet even ordered the compelled one, in the fighting of tribulation (*Fitnah*), to break his sword and it is not for him to fight, even if he is killed.”²⁷³

And look to “The Issue of *Tatarrus*”, in “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”²⁷⁴ and “*Al-Majmū’ Sharh Al-Muhatħab*”.²⁷⁵

The Refutation of a Misconception

Those who stipulate the condition of the differentiating between the disbelieving assembly (*Tā’ifah*) and the Muslims, have a misconception, as they use as evidence, His, the Most High’s, statement:

Had there not been believing men and believing women whom you did not know, that you may kill them, and on whose account a sin would have been committed by you without

²⁷³ “*Majmū’ Al-Fatāwa*”, Vol. 28/537 - 538 and he repeated likewise on Vol. 28/546 - 547

²⁷⁴ Vol. 10/505

²⁷⁵ Vol. 19/297

(your) knowledge, that Allāh might bring into His Mercy whom He will, if they (the believers and the disbelievers) should have been apart, We verily had punished those of them who disbelieved, with painful torment.²⁷⁶

And its meaning, in other words, is that if it were not for the fact that there were believing men and believing women in Makkah, from the weak ones who you, O Muslims, do not know, and if you had fought the people of Makkah on the Day of Hudaybiyah, then it is possible that you would have killed some of those believers, and therefore you would have been reached by a disgrace. In other words, a shame and sin: **...if they (the believers and the disbelievers) should have been apart...** In other words, the believers differentiated and separated from the disbelievers, then Allāh would have punished the disbelievers by means of killing and other than that. So some use this verse as evidence to say that the mixing of the believers with the disbelievers is a preventative factor from fighting the disbelievers, and an excuse for the abandonment of fighting the disbelievers due to what would result from that in the killing of some of the believers who are mixed within them.

And as it is not hidden, this saying leads to the prevention of the *Jihād* in both its forms; the fighting of *Talab* and the fighting of *Dafa'*, as there is not currently a country, except that in it there are Muslims mixed with the disbelievers to varying degrees. There are Muslims in China and India and Russia and America and other than these. And all of them are states of disbelief (*Diyār Kufr*). So does this prevent the *Jihād* against them, in those cases when they are able?

²⁷⁶ *Sūrat Al-Fat'h*, 25

And the Response to this Misconception Comes From Two Points:

The First: That the prevention from the fighting on the Day of Hudaybiyah was a decreed prevention (i.e. by Allāh) and it is not allowed to use the decree as proof. And the clarification of that is that the Prophet ﷺ intended Makkah to perform the lesser pilgrimage ('Umrah). Then the people of Makkah resolved to prevent him from entering it (i.e. Makkah). Therefore, he resolved to fight them if they prevented him, after consulting with his companions. As Al-Bukhārī narrated, "Abū Bakr said, 'O Messenger of Allāh, you went out intending this house (i.e. the *Ka'bah*), not wishing to kill anyone, nor to wage war against anyone, so continue heading towards it. Then whoever prevents us from it, we shall fight him.' He said, "*Continue upon the name of Allāh.*"²⁷⁷ So the Messenger of Allāh ﷺ continued upon this resolve until his camel stopped moving. So some of his companions said, "Al-Qaswā' refuses to get up (for no reason)" So the Prophet ﷺ said, "*Al-Qaswā' did not refuse to get up (for no reason), nor would that be proper etiquette for her. However, the One who stopped the Elephant stopped her.*" Then he said, "*By the One in Whose Hand is my soul, they will not ask for a course of action in which they glorify the sanctities of Allāh therein, except that I give it to them.*"²⁷⁸ In other words, she was prevented from the travel to Makkah by the One who prevented the Elephant and Abrahah from Makkah, Glory be to Him, the Most High. So this was a decreed prevention and therefore the Prophet ﷺ knew that Allāh did not give permission for this (i.e.

²⁷⁷ *Hadīth* #4,178 & #4,179

²⁷⁸ *Hadīth* #2,731 & #2,732

his ‘Umrah). So the Prophet resolved to accept the peace treaty and he began to do so. Then he was reached by the news of the killing of his ambassador to Makkah; who was ‘Uthmān Ibn ‘Affān, may Allāh be pleased with him, so at that (time), he resolved upon the fighting a second time, and took the oath of allegiance (*Bay’ah*) from his companions – which was the “*Bay’at Ar-Ridhwān*” (The Allegiance of Pleasure) – upon them never fleeing, or upon death, with disagreement (between the scholars).²⁷⁹ Then ‘Uthmān was released and Allāh, the Most High, willed for the peace treaty to proceed. All of this, while the verse being used as evidence – and even the entire *Sūrah*; *Sūrat Al-Fat’h* – had not been revealed yet. And it was only revealed upon the departure from Hudaybiyah. And as you see, the Prophet

resolved upon the fighting twice; the first was when he continued until the camel was stopped, and the second was when he took the *Bay’ah*. And while in both cases he had resolved to fight, he knew about the existence of the weak believers in Makkah and he knew some of them specifically, and he used to supplicate for them to be saved.²⁸⁰ So he was not prevented from this resolving to fight due to the presence of the weak ones. Rather, the fighting is obligatory in order to rescue them, due to His, the Most High’s, statement:

And what is wrong with you that you fight not in the Cause of Allāh, and for those weak, ill-treated and oppressed among men, women, and children...²⁸¹

²⁷⁹ Look to “*Fat’h Al-Bārī*”, Vol. 6/117

²⁸⁰ Narrated by Al-Bukhārī #4,598

²⁸¹ *Sūrat An-Nisā’*, 75

But Allāh did not give permission to the fighting (in this case) in the decree, not the (*Islāmic*) legislation (*Shara'*). Otherwise if he was prevented by the (*Islaamic*) legislation, the Revelation, then he would not have continued and would not have taken the *Bay'ah*. And this decreed prevention was due to wisdom, which Allāh, the Most High, knew. From it was the presence of weak ones in Makkah, and from it was that the peace treaty resulted in great benefit, as the people became safe. So far greater numbers entered into *Islām* than those who had previously entered it, just as it is in the verse: ...**that Allāh might bring into His mercy whom He wills...**²⁸² And this reached the point where Allāh, the Most High, called this treaty a *Fat'h* (i.e. conquest); all of this in clarification that the prevention from fighting on the Day of Hudaybiyah was a decreed prevention.

And in proving the falsehood of using the decree as proof, Ibn Taymiyyah, may Allāh be merciful to him, said, “And there is no proof for the children of Ādam in the decree, nor is there any excuse. Rather, the decree is believed in and not used as proof. And the one who uses the decree as an argument is corrupted in intellect and religion and (self) contradicting, because if the decree were a proof and an excuse, then that necessitates that no one should be blamed and he should not be punished and he should not be subject to retribution. Therefore, this one who uses the decree as proof; this necessitates that he – if he is transgressed upon either to his person, or in his wealth, honor, or his sanctities – should never seek retribution from the transgressor, and he must not become angry with him, nor place blame on him. And this is a matter, which is naturally impossible. No one is able to do this. So it is

²⁸² Look to “*Fat'h Al-Bārī*”, Vol. 5/348

impossible naturally and forbidden in the (*Islāmic*) legislation (*Shara'*)."

"And if the decree were a proof and an excuse, then Iblīs would not be blameworthy, nor deserving of punishment, nor would Pharaoh and the people of Nūh and ‘Ād and Thamūd and others besides them from the disbelievers. Nor would the *Jihād* against the disbelievers be permitted, nor the establishment of the prescribed penalties (*Hudūd*) be permitted. Nor would the amputation of the thief, nor would the whipping of the fornicator, nor his stoning, nor the execution of the murderer, nor the punishing of the transgressor, in any of its forms." – until he, may Allāh be merciful to him, said – "So whoever uses the decree as proof upon leaving something, which is ordered and to feel regret from receiving that which he hates from what was predestined, then he has reversed the faith (*Imān*) and become from the party of the atheistic hypocrites. And this is the condition of those who use the decree as proof."²⁸³

The Second Point: The Specification ²⁸⁴

And it is that this prevention of the fighting, due to the mixing of the believers with the disbelievers in Makkah, was specific to the event of Al-Hudaybiyah and none else. And it is not to be used as evidence for that which resembles it. And this saying of it being specific is, by the permission of Allāh, the Most High, the correct one. And Allāh, the Most High, knows best. And the evidence for that:

²⁸³ "Majmū' Al-Fatāwa", Vol. 2/323 - 326

²⁸⁴ **Trans. Note:** The phrase "Specification" means that a particular event or ruling was limited to, or "specific" to a particular event, incident or set of circumstances. Therefore, general rulings are not to be derived from these as they are "specific" to this event only.

- The fact that Allāh, Glory be to Him, prevented His Messenger from battling Makkah on the Day of Al-Hudaybiyah in the Year 6 H., by a decreed prevention, and then He permitted its battling two years later in the day of *Fat'h Makkah*, (The Conquest of Makkah) in the Year 8 H. with a legislated permission, while this was the very same town; Makkah, and some of the weak were still in Makkah, such as Ibn ‘Abbās, may Allāh be pleased with them, and others.²⁸⁵ Al-Bukhārī narrated from Abī Hurayrah that he said, “When Allāh opened Makkah upon His Messenger , he stood up amongst the people and he praised Allāh and glorified Him. Then he said, “*Verily, Allāh prevented the Elephant from (attacking) Makkah and He put His Messenger and the believers in authority over it, whereas this (i.e. attack) was not permitted for anyone before me. And it was permitted for me for an hour. And it will not be permitted to anyone after me.*”²⁸⁶ And with this, you know that the prevention on the Day of Al-Hudaybiyah, was specific, because the same town was permitted after that, while it is the very same town. And some of the same weak ones were still in it.
- And from that which indicates the specification also, is that there were other events in which the believers were mixed with the disbelievers and the disobedient and the killing or the torment fell upon them altogether. And no decreed preventative factors from Allāh, the Most High, stood between that, such as what took place on the Day of Al-Hudaybiyah. So this indicates the specification of the text concerning the event of

²⁸⁵ Narrated by Al-Bukhārī #4,587

²⁸⁶ *Hadīth* #2,434

Fundamental Concepts for Al-Jihād

Al-Hudaybiyah and there is nothing to prevent the likes of this from happening in the decree, as for the legislation, then it is not a proof. And from the events in which the mixing took place, and where it did not prevent the killing or the punishment in the decree, is what follows:

What Abū Dāwūd and At-Tirmithī narrated from Jarīr Ibn ‘Abdillāh, who said, “The Messenger of Allāh sent a platoon to Khath’am, so some of the people from them took refuge in the prostration. So the killing occurred quickly with them.” He said, “Then that reached the Prophet , so he ordered for them half of the blood money and he said, ‘*I am free from every Muslim who resides amongst the backs of the polytheists (Mushrikīn). There fires should not be seen.*’”²⁸⁷ And from them is the *Hadīth* of the barren region, mentioned in the aforementioned words of Ibn Taymiyyah. So this army; Allāh, the Most High, destroyed it despite that in them was the compelled one and those who were not from them.

And from them was what Al-Bukhārī narrated from Ibn ‘Umar, that the Messenger of Allāh said, “*If Allāh sends down a punishment upon a people, the punishment reaches whoever is within them. Then they are resurrected upon their deeds.*”²⁸⁸

And from them was what Al-Bukhārī narrated from the Mother of the Believers, Zaynab Bint Jah’sh, that she said, “Will we be destroyed, while there are righteous ones amongst us?” The

²⁸⁷ Al-Albānī authenticated it in “*Irwā’ Al-Ghalīl*”, Vol. 5/30. And it is mentioned that it was narrated “*Mursal*” from Qays Ibn Abī Hāzim.

²⁸⁸ *Hadīth* #7,108

Prophet [] said, “Yes, if the vileness becomes abundant.”²⁸⁹ And from them was what Ibn Hibbān narrated in his *Saheeh* from ‘Ā’ishah, *Marfū’*: “Verily, if Allāh sends down His Domination upon the people of His wrath and within them are the righteous ones, they are taken with them. Then they shall be resurrected upon their intentions and their deeds.” All of these *Hadīths* are in the meaning of the *Hadīth* of the barren region.

I say: And the opinion of the specification does not mean that the believer who is mixed with the disbeliever has no sanctity or that his blood can be spilled with impunity. No, rather he is protected by his faith (*Imān*) wherever he is. But the opinion of the specification merely means that this mixing is not a prevention from fighting the disbelievers, even if it is certain that amongst them are Muslims who will be killed along with them. And that is if the *Sharī’ah*-oriented benefit determines that.

And this is what the opinion of the majority of the jurists settled upon.²⁹⁰ And it is obligatory for this knowledge to be spread amongst the Muslims so that they will beware of mixing with the disbelievers.

And in the *Tafsīr* of His, the Most High’s, statement: ...if they (the believers and the disbelievers) should have been apart, We would verily had punished those of them who disbelieved... Al-Qurtubī narrated that Mālik, may Allāh be merciful to him, did not take the opinion of shooting the polytheists (*Mushrikīn*), if it was known that Muslims were amongst them, using this verse as evidence. And he said that Abū Hanīfah permitted that. Then Al-

²⁸⁹ *Hadīth* #7,059

²⁹⁰ Look to “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/505 & “*Al-Majmū’ Sharh’ Al-Muhaṭhab*”, Vol. 19/297

Qurtubī said, “It is possible for the killing of the human shields to be permissible and there would be no disagreement concerning that, by the permission of Allāh. And that would be when the benefit is a total necessity, without doubt. So the meaning of it being a ‘necessity’ is that reaching the disbelievers would not occur except by killing the human shields. And the meaning of it being ‘total’ is that it is without doubt, for all the *Ummah*, so that by killing the human shields, the benefits would result for all the Muslims, such that if it were not done, then the disbelievers will kill the human shields (anyway) and conquer the entire *Ummah*. And the meaning of it being ‘without doubt’ is that the benefit will occur by killing the human shields without doubt. Our scholars said, ‘And this benefit, with these restrictions should not have any dispute concerning its consideration, because the likelihood is that the human shields will be killed without doubt (anyway). So either by the hands of the enemy, which will lead to the greater harms taking place, which is the prevailing of the enemy over all the Muslims, or else by the hands of the Muslims, such that the enemy would be destroyed and all the Muslims would be saved.’ And it would not be that an intelligent one would say, ‘The human shields can not be killed in these circumstances in any case,’ because this would result in the annihilation of the human shields and *Islām* and the Muslims (altogether). But since this benefit is not completely free from any harm, the selves of those who did not extensively study it fled. Because that harm, compared to what would occur without it, is non-existent or almost non-existent. And Allāh knows best.”²⁹¹

I say: And these words cure the ill one and they quench the thirsty, as there is no disagreement between the *Ummah* regarding the preservation of the five necessities. And they are the religion, the

²⁹¹ “*Tafsīr Al-Qurtubī*”, Vol. 16/287 - 288

self, the lineage/offspring, the mind, and the money. And there is no disagreement in that the preservation of the religion is put ahead of the preservation of the self. And due to this, the *Jihād* was legislated in order to preserve the religion, even though it contains the departure of the selves and the money. Allāh, the Most High, said:

Verily, Allāh has purchased of the believers their lives and their properties; for the price that theirs shall be the Paradise. They fight in Allāh's Cause, so they kill (others) and are killed. It is a promise in truth which is binding on Him in the *Tawrāt* (Torah) and the *Injīl* (Gospel) and the *Qur'ān*.²⁹²

And He, the Most High, said:

***Jihād* (holy fighting in Allāh's Cause) is ordained for you (Muslims) though you dislike it, and it may be that you dislike a thing which is good for you.²⁹³**

And there is no doubt that the harm that would befall the Muslims from the prevailing of the apostate rulers over them, and what this contains from great tribulation (*Fitnah*); this harm far surpasses by huge amounts, the killing of some of the compelled Muslims in the ranks of the enemy, or those mixed with it, unintentionally, during the time of the fighting. Many of the Muslim countries move along

²⁹² *Sūrat At-Tawbah*, 111

²⁹³ *Sūrat Al-Baqarah*, 216

the path of complete apostasy by the deeds of those ones. So what tribulation (*Fitnah*) is greater than this? This tribulation surpasses what will reach the Muslims in the *Jihād* from killing or imprisonment or torture or being expelled. He, the Most High, said:

And *Al-Fitnah* is worse than the killing.²⁹⁴

And He, the Most High, said:

...and *Al-Fitnah* is greater than the killing.²⁹⁵

So it is obligatory to repel the greater harm; “The *Fitnah* of the *Kufr* and the Apostasy”, by bearing the lesser harm, and it is what comes from the *Jihād*, from killing and other than that. And this is what is approved in the rules of jurisprudence specific to repelling the harm. Such as the rule: “The Necessities Permit the Forbidden Things” and the rule: “The Specific Harm is to be Born in Order to Repel the General Harm”, and the rule: “The More Severe Harm is Removed with the Lighter Harm”, and the rule: “If Two Harms Oppose, then the Greater of the Two Harms is Taken into Consideration”, and the rule: “The Lesser of the Two Evils is Selected”, and others besides those.²⁹⁶

²⁹⁴ *Sūrat Al-Baqarah*, 191

²⁹⁵ *Sūrat Al-Baqarah*, 217

²⁹⁶ Look to “*Al-Qawā'id Al-Fiq 'hiyyah*”, by the *Shaykh*, Mustafā Az-Zarqā: “Rule #25, #20, #25 - #28

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And Ibn Taymiyyah, may Allāh be merciful to him, said, “And it is that Allāh, the Most High, has permitted the killing of the selves, whatever the good of the creation is in need of, as He, the Most High, said: **And *Al-Fitnah* is greater than the killing.** In other words, that the killing; even if there is an evil and malevolence in it, then in the *Fitnah* of the disbelievers, there is from the evil and malevolence which is even greater than it.”²⁹⁷

Do you not see that which takes place upon the Muslims in many of the countries; their blood and their wealth is permitted by the laws of *Kufr*, while the wickedness and the indecency and the intentional spreading of ignorance about the religion and the mocking of *Islām* and the Muslims spreads, so that the young ones will be raised upon a faint connection with their religion? What *Fitnah* is there greater than this? And what is left for the Muslims? He, the Most High, said:

Those who were deemed weak will say to those who were arrogant: “Nay, but it was your plotting by night and day, when you ordered us to disbelieve in Allāh and set up rivals to Him!” And each of them (parties) will conceal their own regrets (for disobeying Allāh during this worldly life), when they behold the torment. And We shall put iron collars round the necks of those who disbelieved. Are they requited aught except what they used to do?²⁹⁸

²⁹⁷ “*Majmū’ Al-Fatāwa*”, Vol. 28/355

²⁹⁸ *Sūrat Saba’*, 33

The Refutation of a Dangerous Misconception of the Shaykh, Al-Albānī

It has come in the book “*Sharh’ Al-‘Aqīdah At-Tahāwiyyah*”,²⁹⁹ as it is in the text (*Matn*), “And we do not see the rebelling against our leaders and the Guardians of our Matters (*Wulātu Umūrinā*) (as permissible), even if they are tyrants. And we do not supplicate against them and we do not remove a hand (away) from their obedience.” The *Shaykh*, Al-Albānī said in the footnotes, “The explainer mentioned regarding that, several *Hadīths*, which you shall see narrated in his book. Then he said –in other words, the explainer, “As for the adhering to their obedience, even if they are tyrants, then that is because based upon the rebelling against their obedience, there will be harms in greater amount compared to that which takes place from their tyranny. Rather, in being patient upon their tyranny, there is the expiation of bad deeds, because Allāh did not put them in authority over us except due to the corruption of our deeds. And the recompense is in accordance to the deed. So it is upon us to strive to seek (Allāh’s) forgiveness and *At-Tarbiyah* (spiritual cultivation) and rectifying our deeds. He, the Most High, said: **And thus We do make the *Thālimīn* (polytheists and wrong-doers, etc.) *Awliyā’* (supporters and helpers) one to another (in committing crimes etc.), because of that which they used to earn.**³⁰⁰ So if the herd wishes to rid itself of the wrongdoing (*Thulm*) of its leader, then they should leave the wrongdoing (*Thulm*).” And the explainer, who was referred to in the aforementioned words, is Ibn Abī ‘Izz Al-Hanafī, the author of the book “*Sharh’ Al-‘Aqīdah At-Tahawiyah* ”.³⁰¹ And his

²⁹⁹ Page 47, with the commentary of Al-Albānī, publication of “*Al-Maktab Al-Islāmī*”, 1398 H.

³⁰⁰ **Trans. Note:** *Sūrat Al-An’ām*, 129

³⁰¹ Pg. 431, publication “*Al-Maktab Al-Islāmī*”, 1403 H.

aforementioned words are in the explanation, but the *Shaykh*, Al-Albānī abbreviated his words. And the explainer (i.e. Ibn Abī Al-‘Izz) did not mention the phrase ‘*At-Tarbiyah*’ (i.e. spiritual cultivation), rather what was mentioned in its place is the phrase ‘*At-Tawbah*’ (i.e. repentance). Then Al-Albānī commented on the words of the explainer, saying, “And in this, there is a clarification of the method to be rid of the wrongdoing (*Thulm*) of the rulers, who are ‘from our skin and who speak with our tongues’. And it (i.e. the method) is that the Muslims repent to their Lord and correct their belief (*‘Aqīdah*) and they raise themselves and their families upon the correct *Islām*, actualizing His, the Most High’s, statement: **Verily! Allāh will not change the condition of a people until they change what is in themselves.**³⁰² And one of the contemporary callers (*Du’āt*) referred to that with his saying: ‘Establish the *Islāmic* State within your hearts, then it will be established for you in your land.’ And the method to be rid of this is not what some people mistakenly think, which is the armed uprisings against the rulers by means of military revolutions. Because they, with the fact that they are from the contemporary innovations of this present era, they contradict the *Shari’ah*-oriented texts, which include the order for changing what lays in the selves. Also, it is a must to rectify the foundation in order to erect a building upon it: **Verily, Allāh will help those who help His (Cause). Truly, Allāh is All-Strong, All-Mighty.**³⁰³”

I say: And this commentary by the *Shaykh*, Al-Albānī; in it are dangerous mistakes and severe deception. And it is not befitting for the *Shaykh*, nor for anyone who is even far less than him in knowledge. And the clarification of that is as follows.

³⁰² *Sūrat Ar-Ra’d*, 11

³⁰³ *Sūrat Al-Hajj*, 40

1. I mentioned in the third chapter – within the obligations of the Victorious Assembly (*At-Tā’ifah Al-Mansūrah*) – the *Jihād* against the apostate rulers, who rule the Muslim countries with other than the *Shari’ah* of *Islām*. And I mentioned there, the *Fatāwa* of Ahmad Shākir and Muhammad Hāmid Al-Fiqqī and Muhammad Ibn Ibrāhīm Āl Ash-Shaykh, regarding the declaration of disbelief (*Takfīr*) of those rulers. And from that, which the *Shaykh*, Ahmad Shākir said, “Would it be allowed, with that, in the legislation of Allāh, for the Muslims to be ruled in their country with a legislation taken from the legislations of the idolatrous, atheistic Europe?” – until he said – “The matter of these fabricated laws is as clear as the clarity of the sun. It is open disbelief (*Kufr Bawāh*), in which there is no ambiguity, nor any deceitfulness.”³⁰⁴ And from that which the *Shaykh*, Muhammad Hāmid Al-Fiqqī said: “And like this – and even more evil that it – is the one who took laws from the words of the European’s, which he takes the judgment concerning the blood, and the private areas (i.e. laws regarding fornication, adultery, marriage, custody and lineage etc.) and the wealth, and he puts it in front of that which he knows, and has had made clear to him from the Book of Allāh, and the *Sunnah* of His Messenger . So he is an apostate disbeliever (*Kāfir Murtadd*), with no doubt, if he continues upon it and does not return to ruling with what Allāh revealed. And he is not benefited by any label that he labels himself with, nor any deed from the outward deeds of the prayer and fasting and the pilgrimage and the likes of it.”³⁰⁵ And from that which the *Shaykh*, Muhammad Ibn Ibrāhīm Āl Ash-Shaykh said: “The ruling by other than what Allāh revealed

³⁰⁴ “‘Umdat At-Tafsīr ”, by Ahmad Shākir, Vol. 4/173 - 174

³⁰⁵ “Kitāb Fat’h Al-Majid Sharh’ Kitāb At-Tawhīd ”, the footnotes of page 396, publication of “Ansār As-Sunnah ”

would be major disbelief (*Kufr Akbar*) in situations...”, the fifth one describes the condition of many of the countries of the Muslims nowadays with a precise description. He said, “So these courts, now in many of the districts of *Islām*, are ready and completed with their doors wide opened. And the people are towards them swarms after swarms. Their judges rule between them with that which contradicts the *Sunnah* and the Book, from the rulings of that law. And they hold it upon them (i.e. the citizens) and encourage them upon it, and impose it upon them. So which disbelief (*Kufr*) is there above this disbelief (*Kufr*)? And what nullification to the testimony that Muhammad is the Messenger of Allāh, is there beyond this nullification?”³⁰⁶ And sufficient for you in this, O my Muslim brother, is for you to know that what takes place in these countries; which is the removal of the ruling of Allāh, the Most High, and inventing a legislation that contradicts it, in order to rule with it amongst the people, is the same situation for which His, the Most High’s, statement was revealed:

And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.³⁰⁷

And the situation, for which this revelation took place, fully enters into the text by the consensus, as As-Suyūtī said in “*Al-Itqān*”.³⁰⁸ And this matter of the disbelief (*Kufr*) of the system which rules with other than what Allāh revealed, is not hidden from the *Shaykh*, Al-Albānī, as his words will come in approval of this.

³⁰⁶ From the treatise “*Tah’kīm Al-Qawānīn*”

³⁰⁷ *Sūrat Al-Mā’idah*, 44

³⁰⁸ Vol. 1/28 & 30

2. I say: So from the dangerous mistakes, which some fall into, is the application of the *Hadīths* narrated concerning the leaders of the Muslims, to those apostate rulers. Such as the *Hadīth* of Ibn ‘Abbās, *Marfū’*: “*Whoever hates something from his Amīr, then let him be patient. Because whoever leaves from beneath the authority a (single) hand-span, then he dies a death of Jāhiliyyah.*”³⁰⁹ And the *Hadīth* of ‘Awf Ibn Mālik Al-Ashja’ī, that the Messenger of Allāh said, “*The best of your leaders are those whom you love and who love you, and for whom you pray and who pray for you. And the worst of your leaders are those whom you hate and who hate you, and to whom you curse and who curse you.*” He said, “We said, ‘O Messenger of Allāh, should we not rid ourselves of them?’ He said, ‘No. Not as long as they establish the prayer amongst you.’”³¹⁰ And in a narration: “*Not as long as they pray.*” And the removal of this misconception is from two points:

The First: These *Hadīths* are regarding the Muslim *Imām*, not the disbelieving (*Kāfir*) ruler. And they are not to be used as evidence concerning the apostate rulers, because those people:

- a) Do not fulfill the conditions of the leadership (*Imāmah*), such as the *Shari’ah*-oriented knowledge and the justice and other than that.³¹¹
- b) And a valid *Shari’ah*-oriented *Bay’ah*, was not contracted to them. And the *Bay’ah* would not take place unless it was upon

³⁰⁹ Agreed upon

³¹⁰ Narrated by Muslim

³¹¹ Review the conditions for the leadership (*Imāmah*) in “*Al-Ah’kām As-Sultāniyyah*”, by Al-Māwardī, page 6

the condition of ruling with the Book and the *Sunnah*, just as Al-Bukhārī narrated from Ibn ‘Umar, that he wrote to ‘Abdul-Malik Ibn Marwān, giving him *Bay’ah*: “And I will agree with you in listening and obeying, upon the *Sunnah* of Allāh and the *Sunnah* of His Messenger, in what I am able.”³¹² And Ibn Hajar said, “And the basic rule in issuing *Bay’ah* to an *Imām*, is that he gives him *Bay’ah* upon acting upon the truth, while establishing the prescribed penalties (*Hudūd*), and commanding the good and forbidding the evil.”³¹³ As for those apostates, then they swear an oath, when they receive the rule, to act upon the constitution and the fabricated law and the democracy and the socialism and other than that from the disbelief (*Kufr*).

- c) They do not perform the obligations of the leaders, and the first of them is “The Preservation of the Religion Upon its Established Principles”, as Al-Māwardī mentioned, in (discussing) what the *Imām* is responsible for.³¹⁴ And from them (i.e. the responsibilities) is the establishment of the prescribed penalties (*Hudūd*) and the *Jihād* in the Path of Allāh. So do these ones (i.e. the rulers) preserve their religion or do they cause it to be lost?

From what has passed, you see, O my Muslim brother, that those rulers do not enter beneath the label “Leaders of the Muslims”; not from the point of the conditions, nor the *Bay’ah*, nor the obligations. And you see that in applying the *Hadīths* about the (rightful) leaders to them, there is a dangerous mistake and deception.

³¹² *Hadīth* #7, 272

³¹³ “*Fat’h Al-Bārī*”, Vol. 13/203

³¹⁴ “*Al-Ah’kām As-Sultāniyyah*”, page 15 – 16

The Second Point: Even if we, for the sake of argument, said that the *Hadīths* of the (rightful) leaders were to be applied to them, then these *Hadīths* are restricted by the *Hadīth* of ‘Ubādah Ibn As-Sāmit: “...and that we would not dispute the authority from its people.” He said, ‘Unless you see an open disbelief (*Kufr Bawāh*), for which you have an evidence from Allāh about it.’”³¹⁵ So whenever the ruler falls into a clear disbelief (*Kufr*), such as the ruling with other than what Allāh revealed, then his obedience falls, and he leaves the status of authority. And it becomes obligatory to rebel against him, as Al-Qādhi ‘Iyādh said in the explanation of the *Hadīth* of ‘Ubādah: “The scholars have formed a consensus that the leadership (*Imāmah*) is not to be contracted to a disbeliever (*Kāfir*) and that if disbelief (*Kufr*) comes from him, then he is to be removed.” – until he said – “So if disbelief (*Kufr*) and changing the legislation (*Shara’*) or innovation (*Bid’ah*) comes from him, then he has left the status of authority and his (right) of obedience falls and it becomes obligatory upon the Muslims to rise up against him and remove him and set up a just *Imām*, if that is possible for them...”³¹⁶

From what has passed, you see, O my brother Muslim, that there is no room to use the *Hadīths*, which were narrated regarding the leaders of the Muslims, regarding the apostate *Tawāghīt*. And you also see the danger of the deception resulting from the application of these as evidence; which based upon it, is the directing of the Muslims away from the obligated *Jihād*, which is upon them, against the *Tawāghīt*.

³¹⁵ Agreed upon

³¹⁶ “*Sahīh Muslim Bi’Sharh An-Nawawī*”, Vol. 12/229

3. And the *Shaykh*, Al-Albānī fell into this mistake in his commentary upon “*Al-‘Aqīdah At-Tahāwiyyah*”, as the words of the *Imām*, At-Tahāwī as well as the words of the explainer, Ibn Abī Al-‘Izz, are in regards to the Muslim *Imām*, if he commits transgression (*Fisq*) or tyranny. And it is not regarding the disbeliever (*Kāfir*), and this is clear in the words of the *Imām*, At-Tahāwī: “And we do not see the rebelling against our leaders...” In other words, the leaders of the Muslims. So the *Shaykh*, Al-Albānī took their words and applied them to refer to the rulers of the Muslims – in this time of ours – about whom there is no doubt concerning the disbelief (*Kufr*) and apostasy of most of them. So he began a dangerous misconception with that.

And the *Shaykh*, Al-Albānī agrees with the disbelief (*Kufr*) of the systems, which rule the Muslims by other than the *Shari‘ah* of *Islām*. And from that was his statement: “And I have heard several of them deliver sermons with praiseworthy *Islāmic* enthusiasm and protective instincts (*Ghīrah*), in approving that the *Hākimiyah* is only for Allāh, alone. And with that, he strikes at the disbelieving ruling system. And this is a beautiful thing, even if we are unable to change it presently.”³¹⁷ These are the words of Al-Albānī. Also, he remained silent upon the commentary of the *Shaykh*, Ahmad Shākir in “*Sharh Al-‘Aqīdah At-Tahāwiyyah*”, upon the words of the explainer: “If the ruler believes that the ruling with what Allāh revealed is not obligatory and that he has a choice in it, or he takes it lightly, while he is certain that it is the ruling (*Hukm*) of Allāh, then this is major disbelief (*Kufr Akbar*).” Ahmad Shākir commented upon this by saying, “And likewise what those who study European laws have been tested with, from the men of the

³¹⁷ From his book “*Al-Hadīth Hujjatun Bi ‘Nafsihi Fil-‘Aqā’idi Wal-Ah’kām*”, page 96 - 97

Islāmic nations, as well as its women who have had the love of it poured into their hearts, and the infatuation with it, and the defending of it and they have ruled with it and spread it...”³¹⁸

So how can the *Shaykh* say that the method to be rid of those disbelievers is the patience and the *Tarbiyah*, as this contradicts the majority of the *Salaf* who approved that the patience would be upon the Muslim ruler, when he commits transgression (*Fisq*) or tyranny, but that if he disbelieves, then it is obligatory to rebel against him, when the ability exists, according the consensus (*Ijmā'*)? And I mentioned in this section, the words of Al-Qādhi ‘Iyādh and Ibn Hajar, concerning this. And they have both narrated the consensus (*Ijmā'*), upon the obligation of rebelling against the disbelieving (*Kāfir*) ruler.³¹⁹ And from what Ibn Hajar said: “And its summary is that he is to be removed because of disbelief (*Kufr*), according to the consensus (*Ijmā'*). So it is obligatory upon each Muslim to rise up for that.”³²⁰ So which words are clearer than these?

And this ruling concerning being patient with the tyrant Muslim ruler and the rebellion against the disbeliever (*Kāfir*), is taken from the reconciliation between the *Hadīths* narrated regarding the obedience of the leaders. So the *Hadīths*, which order patience upon the leaders; such as the *Hadīth* of Ibn ‘Abbās, *Marfū'*: “*Whoever hates something from his Amīr, then let him be patient. Because whoever leaves from beneath the authority a (single) hand-span, then he dies a death of Jāhiliyyah,*”³²¹ and the *Hadīth* of Ibn Mas’ūd, *Marfū'*: “*Verily, after me there will be selfishness*

³¹⁸ “*Sharh’ Al-‘Aqīdah At-Tahāwiyyah*”, page 323 – 324, publication 1404 H

³¹⁹ “*Sahīh Muslim Bi’ Sharh’ An-Nawawī*”, Vol. 12/229 & “*Fat’h Al-Bārī*”, Vol. 13/7-8, 116 and 123

³²⁰ “*Fat’h Al-Bārī*”, Vol. 13/123

³²¹ Agreed upon

*and matters to which you will object.” They said, “O Messenger of Allāh, with what do you order us if one of us were to reach that?” He said, “You give the rights, which are upon you, and you ask Allāh for the ones that are for you.”*³²² And likewise, is the *Hadīth* of Wā'il Ibn Hujur, and the *Hadīth* of Umm Salamah, may Allāh be pleased with them all. All of these *Hadīths* are restricted by the *Hadīth* of 'Ubādah Ibn As-Sāmit: “The Messenger of Allāh

called us, so we gave *Bay'ah* to him. So from what he took upon us was that we offer *Bay'ah* upon listening and obeying, during our eagerness or reluctance and in our difficult times and in our easy times and favoring (the commands) instead of our own (desires), and that we would not dispute the authority from its people.’ He said, ‘Unless you see an open disbelief (*Kufr*), for which you have an evidence from Allāh about it.’

³²³ This *Hadīth* restricts and specifies the *Hadīths* of patience. So if a ruler disbelieves, then clashing and rebellion (against him) becomes obligatory. And Al-Bukhārī, may Allāh be merciful to him, indicated this restriction, in his narrating the *Hadīths* of patience; such as the *Hadīth* of Ibn 'Abbās and Ibn Mas'ūd, which have passed, and then following them with the *Hadīth* of 'Ubādah Ibn As-Sāmit, within the same chapter.³²⁴

So the path to be rid of the disbelief (*Kufr*) of the rulers is armed rebellion against them. And this is obligatory according to the consensus (*Ijmā'*), when the ability exists. And the path to being rid of them is not the *Tarbiyah* alone. And the *Shaykh*, Al-Albānī was proven wrong by the consensus (*Ijmā'*), which *Al-Qādīhī* 'Iyādh and Ibn Hajar narrated. And if the ruler falls into disbelief (*Kufr*), then the harm of rebelling against him is not considered, as

³²² Agreed upon

³²³ Agreed upon

³²⁴ The second chapter from “*Kitāb Al-Fitan*”, in his “*Sahīh*”

there is no greater harm than the *Fitnah* of disbelief (*Kufr*). He, the Most High, said:

...and *Al-Fitnah* is greater than killing. ³²⁵

And the scholars have formed consensus (*Ijmā'*) upon the preservation of the religion being put ahead of the preservation of the selves, and other than that from the five necessities. And the saying of *Shaykh Al-Islām* just passed: “And it is that Allāh, the Most High, has permitted the killing of the selves, whatever the good of the creation is in need of, as He, the Most High, said: **And *Al-Fitnah* is greater than the killing.** In other words, that the killing; even if there is an evil and malevolence in it, then in the *Fitnah* of the disbelievers, there is from the evil and malevolence which is even greater than it.” ³²⁶

4. That which the *Shaykh* said in his book “*Al-Hadīth Huffatun Bi’Nafsihi*” ³²⁷ that we are unable to strike the disbelieving system presently. Then when we are (truly) unable to perform *Jihād*, it becomes obligatory to attain this ability, due to His, the Most High’s, statement:

And make ready against them all you can of power... ³²⁸

³²⁵ *Sūrat Al-Baqarah*, 217

³²⁶ “*Majmū’ Al-Fatāwa*”, Vol. 28/355

³²⁷ Page 97

³²⁸ *Sūrat Al-Anfāl*, 60

And this is what *Shaykh Al-Islām*, Ibn Taymiyyah approved of, which is that when the *Jihād* falls, due to inability, then it becomes obligatory to prepare the power.³²⁹ And the strength means the weapons and not the *Tarbiyah*, due to the *Hadīth* of ‘Uqbah Ibn ‘Āmir, *Marfū’*: “*Verily, the power is in shooting.*”³³⁰ And the *Shaykh*, Al-Albānī has approved this himself, as he mentioned in his discussion that was called: “The Future is For *Islām*”, which I narrated within the issue of the covenants, from this treatise. Al-Albānī said, “The *Hadīth*: ‘This matter (i.e. *Islām*) will extend to wherever the night and the day reach.’ – until he said – “And that, which there is no doubt about, is that the arrival of this spreading, necessitates that the Muslims become strong again in their morale and materials and weapons, so that they will be able to defeat the forces of disbelief (*Kufr*) and transgression.”³³¹ So when there is inability, then it is obligatory to prepare the power and not only the *Tarbiyah*.

5. And the saying of the *Shaykh*, Al-Albānī, “...what some people mistakenly think, which is the armed uprisings against the rulers by means of military revolutions. ...”; (his words) are incorrect and it (i.e. the armed uprising) is not a mistaken thinking. Rather, it is the following of the *Sunnah* of the Prophet , as in the *Hadīth* of ‘Ubādah: “...and that we would not dispute the authority from its people.’ He said, ‘*Unless you see an open disbelief (Kufr), for which you have an evidence from Allāh about it.*’”³³² And Ibn Kathīr said in the *Tafsīr* of His, the Most High’s, statement:

³²⁹ “*Majmū’ Al-Fatāwa*”, Vol. 28/259

³³⁰ Narrated by Muslim

³³¹ Narrating from the introduction of the book “*Al-Hukm Al-Jadīrah Bil-Ithā’ah*”; publication of “*Dār Marjān*”

³³² Agreed upon

Do they then seek the judgment of (the Days of) Ignorance? ³³³

“He, the Most High, objects to those who leave from under the ruling (*Hukm*) of Allāh, which encompasses all of what is good and which forbids all of what is evil, and goes to other than that, from the opinions and desires and terminologies, which are fabricated by men with no basis in the law (*Shari’ah*) of Allāh...” - until his saying- “...So whoever does that, then he is a disbeliever (*Kāfir*) whose fighting is obligatory (*Wājib*) until he returns to the ruling (*Hukm*) of Allāh and His Messenger such that he does not rule by other than it neither a little nor a lot.”³³⁴ So how can he say that the armed rebellion against the apostate rulers of our time is a misconception, while Al-Qādhī ‘Iyādh and Ibn Hajar narrated consensus (*Ijmā’*) upon the obligation of rebelling against the likes of those?

6. And the military revolution is merely one of the types of armed rebellion against the *Tawāghīt*. And it is obligatory – as it has passed – so how can the *Shaykh* call the *Shari’ah*-oriented obligation an innovation (*Bid’ah*)? And the military revolutions are not from the innovations of the current era, as he claims, because they occurred during the lifetime of the Prophet

as in the rebellion of Fayrūz Ad-Daylamī against Al-Aswad Al-‘Ansī, the liar who claimed the Prophethood, until Fayrūz killed Al-Aswad. And I mentioned this event in this section previously.³³⁵ Just as I mentioned in the end of the issue

³³³ **Trans. Note:** *Sūrat Al-Mā’idah*, 50

³³⁴ **Trans. Note:** “*Tafsīr Ibn Kathīr*”, Vol. 2/67

³³⁵ Narrating from “*Al-Bidāyah Wan-Nihāyah*”, Vol. 6/307 - 310

of the covenants and the *Bay'ahs*, many examples of the rebelling against the rulers, which resemble the military revolutions, (and) which took place in the three chosen generations. So, the revolution is not from the innovations of the current era, as the *Shaykh* says.

7. And the *Shaykh* did not say that the armed rebellion is merely an innovation (*Bid'ah*). Rather, he also said that the armed rebellion is in contradiction to the *Shari'ah*-oriented texts, which order the changing of what lies in the selves: **Verily! Allāh will not change the condition of a people until they change what is in themselves.**³³⁶ And the issue is not as he stated, as the armed rebellion – “The *Jihād* in the Path of Allāh” –establishing it is included within the changing of the selves. Because that which happened to the Muslims from humiliation, by the apostate rulers prevailing over them did not take place except due to their sitting back from the *Jihād* and the inclination towards this worldly life (*Dunyā*), and the hatred of death. And there is no getting rid of this humiliation for the Muslims, except by changing this. In other words, the *Jihād* and the abandoning of the abode of the false vanities. And this is by the text, as it has come in the two *Hadīths* of Thawbān and Ibn ‘Umar, may Allāh be pleased with them.

From Thawbān, that the Messenger of Allāh said,
“It is feared that the nations will attack you from all sides, just as those who eat attack their platter.” We said, ‘O Messenger of Allāh, is it due to our small numbers at that time?’ He said, ‘You are numerous at that time, but you are like the foam of a stream. The fear will be removed from the hearts of your enemy, and the weakness will be put into your hearts.’ They said, ‘And what is the

³³⁶ Trans. Note: *Sūrat Ar-Ra'd*, 11

weakness?’ He said, ‘*Love of this worldly life and hatred of death.*’³³⁷

And from Ibn ‘Umar that the Messenger of Allāh said, “*If you conduct transactions with ‘Inah and hold onto the tails of cattle and become satisfied with farming, and leave the Jihād, then Allāh will inflict a humiliation upon you, which He will not remove until you return to your religion.*”³³⁸

As you see, O my Muslim brother, that the abandonment of the *Jihād* is one of the causes for the humiliation of the Muslims. And the reversal of this lays in the return to *Jihād*, especially the specified obligation of it, such as the *Jihād* against the *Tawāghīt*. Therefore the *Jihād* is included in changing what lays in the selves, and is not contrary (to the texts), as the *Shaykh*, Al-Albānī stated. And the changing of what lays in the selves will not be with knowledge and *Tarbiyah* only, which the *Shaykh* called the path to be rid (of the transgression). Rather, the *Jihād* is also, which the *Shaykh* objected to, is a path to being rid (of the transgression).

8. And we agree with the *Shaykh* concerning the obligation of changing of what is in the selves so that Allāh, the Most High, will lift off of us what we are now in, from humiliation and hopelessness. And I mentioned this in the fifth fundamental from “The Five Fundamentals for the Decreed *Sunnah* of the Victory Either Taking Place or Not Taking Place”, in the beginning of the topic: “The Faith-Oriented Preparation for *Jihād*”. But we disagree with the *Shaykh* in (particular) matters:

³³⁷ Narrated by Ahmad and Abū Dāwūd and Al-Albānī authenticated it

³³⁸ Narrated by Abū Dāwūd with a *Hasan* chain and Al-Albānī authenticated it

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- From them is his considering the armed rebellion – the *Jihād* – to be in contradiction of the changing of what is in the selves, as it has passed above.
- And as a result, his restricting the changing of that which is in the selves to knowledge and *Tarbiyah*, and I will discuss each of these two matters “Knowledge and *Tarbiyah*” on their own in the third and fourth appendixes at the end of this chapter. And you will see, O my brother, in these appendixes, that the *Shari’ah*-oriented knowledge and being just are not from the conditions for the obligation of *Jihād*, and that both the ignorant one and the transgressor (*Fāsiq*) are both addressed in full with the (obligation of) *Jihād*, just like the scholar and the righteous one, and that the specified, obligatory *Jihād* is not postponed – as long as the ability exists – to attain what is not a condition for its obligation. And if the *Jihād* is not possible except with a wicked leader (*Fājir Amīr*), or an army that contains several wicked people in it. Therefore, the obligation would be the *Jihād* alongside them, in order to repel the greater harm; the harm of the disbelievers. This is the school of thought (*Math’hab*) of *Ahl As-Sunnah Wal-Jamā’ah*, as Ibn Taymiyyah said: “And due to this, it is from the principles of *Ahl As-Sunnah Wal-Jamā’ah*, to battle alongside every righteous one and wicked one, as Allāh will support this religion with a wicked man, and (even) with people who have no share, as the Prophet ﷺ informed us. Because, if it is not possible to battle except with wicked leaders, or with an army that has many wicked people in it, then one of two matters will certainly happen. Either the abandonment of battling alongside them, which necessitates the prevailing of others who are even worse

than them in harming the religion, or the battling alongside the wicked leader, which will achieve the repelling of the greater of the two wicked ones, and the establishment of most of the legislations of *Islām*, even if it is not possible to establish all of them. So this is the obligation in this situation, as well as anything that is similar to it. Even many of the battles, which occurred after the rightly-guided successors, did not take place except in this way.”³³⁹

- And likewise, if it is impossible to perform *Jihād* against the disbelievers except alongside a people who are innovators, then the obligation would be to perform *Jihād* alongside them. And we do not say that we will not perform *Jihād* until they leave the innovation. Rather, we perform *Jihād* alongside the innovators, and we call them during that, to the adherence of the *Sunnah*. Ibn Taymiyyah said, “Then if it is not possible to establish the obligatory duties, from knowledge and the *Jihād* and other than that, except with someone who has innovation (*Bid’ah*), the harm of which is less than the harm in abandoning that obligation, then achieving the benefit of the obligation with the lesser harm that accompanies it is better than the alternative. And due to this, the discussion related to these issues goes into detail.”³⁴⁰

And Ibn Hazm has harsh words in objecting to the one who forbids the *Jihād* against the disbelievers, alongside the transgressing leader (*Fāsiq Amīr*). He said, “And there is no sin beyond the disbelief (*Kufr*), which is greater than the sin of the one who prohibits the *Jihād* against the disbelievers and commands the

³³⁹ Review his words in detail from “*Majmū’ Al-Fatāwa*”, Vol. 28/506 - 508

³⁴⁰ “*Majmū’ Al-Fatāwa*”, Vol. 28/212

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surrendering of the women of the Muslims to them, because of the transgression (*Fisq*) of a Muslim man, who no one besides him is judged (as guilty) because of his transgression (*Fisq*).³⁴¹ I say: So we agree with the *Shaykh* regarding the prevailing of the disbelievers and the transgressors over us being because of our disobedience, due to His, the Most High's, statement:

and whatever of evil befalls you, is from yourself ³⁴²

This is a decreed punishment for us, but we disagree with the *Shaykh* in his limiting the means of repelling them upon a decreed cause, through the repentance from disobedience and returning to Allāh. And the *Shaykh* objected to the *Sharī'ah*-oriented methods of repelling the disbelievers – such as the apostate rulers. This *Sharī'ah*-oriented method is the *Jihād*, which the *Shaykh* called ‘the armed rebellion’.

9. And from the contradictions in the words of the *Shaykh*, Al-Albānī, is that he calls the Muslims to the patience upon the rulers at the same time that he calls them to the *Jihād* of the imperialistic disbelievers, as he stated, “As for the imperialistic disbelievers, then there is no obedience to them. Rather, it is obligatory to make full preparation of materials and morale, in order to expel them and purify the countries of their filth.”³⁴³ And the imperialistic disbeliever is the foreign disbeliever. And I have clarified earlier that there is no difference whether the disbeliever that conquers the Muslims is foreign or domestic,

³⁴¹ “*Al-Muhalla*”, Vol. 7/200

³⁴² *Sūrat An-Nisā'*, 29 (in the original, but the correct is 79)

³⁴³ The book “*Al-‘Aqīdah At-Tahawiyah Sharh’ Wa Ta’līq Al-Albānī*”, page 48

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because the reason for the obligation of the *Jihād* against him exists in both conditions. And that is the characteristic of disbelief (*Kufr*) just as the domestic disbeliever, becomes foreign to the Muslims by his disbelief (*Kufr*), due to His, the Most High's, statement:

He said: “O Nūh (Noah)! Surely, he is not of your family; verily, his work is unrighteous...”³⁴⁴

And I have explained this earlier.

10. And from the contradictions – also in the words of the *Shaykh* – is his statement in the same book: “Know that the *Jihād* is two categories; the first is *Fardh ‘Ayn*, and it is the preventing the enemy from attacking some of the countries of the Muslims, such as the Jews presently, who have invaded Palestine. So the Muslims are all sinful until they expel them from it.”³⁴⁵ And I mentioned previously, in this section, that the apostate rulers are also a disbelieving enemy, which has conquered the countries of the Muslims, and that the *Jihād* against them, due to that, becomes *Fardh ‘Ayn*. Furthermore, the *Jihād* against them is put before the *Jihād* against the Jews for two reasons; the proximity and the apostasy. Furthermore, the Jews would have no permanent foothold in Palestine except under the protection of those apostate, *Tawāghīt* rulers.

Then it is for us to ask the *Shaykh* a question: Why did he say that the path to being rid of the wrongdoing (*Thulm*) of the rulers is the

³⁴⁴ *Sūrat Hūd*, 46

³⁴⁵ Page 49

path of changing what lays in the selves, with knowledge and *Tarbiyah*, while he says that the path to being rid of the Jews is the path of *Jihād*, despite how both the apostate rulers and the Jews are both disbelievers who have prevailed – as a result of the decree – over the Muslims, due to their sins? So why did the *Shaykh* differentiate between the two methods of confrontation? ‘Umar Ibn Al-Khattāb said to Sa’d Ibn Abī Waqqās, in his journey to battle the Persians, “And do not say that our enemy is worse than us so they can’t prevail over us, as many a people were prevailed over by those who were worse than them, just as the Children of Israel were prevailed over by the disbelieving Magians (*Majoos*), due to what they committed from that which angered Allāh: **So they entered the very innermost parts of your homes. And it was a promise (completely) fulfilled.**³⁴⁶” And this advice passed earlier. And in the *Hadīth* of Thawbān, *Marfū’*: “*And that I will not prevail over them, an enemy from other than themselves, which will permit their community, even if it unites against them from its regions, so that each of them would destroy one another.*”³⁴⁷

And this is a text relating to the fact that the disbelieving (*Kāfir*) enemy will not prevail over the Muslims until they reach a great level in malevolence (*Fasād*). And this is a decreed matter, so is the obligation – when the disbelieving (*Kāfir*) enemy prevails over the Muslims – to limit the repelling to the decreed reason of the transgression, by rectifying what lies in the selves, or is the obligation to repel the transgression with what Allāh, the Most High, legislated from the *Jihād*? And what was it that the *Salaf* of the *Ummah* formed consensus upon in this situation; the *Tarbiyah* or the obligation of the specified *Jihād*?

³⁴⁶ **Trans. Note:** *Sūrat Al-Isrā’*, 5

³⁴⁷ Narrated by Muslim

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And who is it more obligatory to fight; the apostate, such as those rulers, or the disbeliever from origin, such as the Jews? ³⁴⁸

And who is it more obligatory to fight; the enemy who is nearest to the Muslims, such as those rulers, or the further ones, such as the Jews? ³⁴⁹

11. And what the *Shaykh* said regarding the necessity of rectifying the foundation in order to erect a building upon it; we agree with him in that it is a must to have *Da'wah* and *Tarbiyah* in order to form an assembly (*Tā'ifah*), which will establish the *Jihād*, in order to repel the *Fitnah* of the disbelievers. As for the unrestricted *Da'wah* and *Tarbiyah* like this, without us placing the *Jihād* as the objective in our eyes, then I see that it will not bring any result, because the factors of destruction and malevolence (*Fasād*), are opposed to this and are funded by the governmental ministries of education and media and endowments. And they are protected by the repressive police institutions, just as I will reaffirm, that limiting (this reform) to the *Tarbiyah* as a method for rectification, contains a deviation away from the *Shari'ah*-oriented obligation; and that is the *Jihād*. And in it there is a contradiction to the guidance of the Prophet ﷺ, as he did not take the path of unrestricted *Tarbiyah* this way, but he made *Da'wah* until an assembly (*Tā'ifah*) was formed, which had strength, with which he performed *Jihād* against the disbelievers with, actualizing what Allāh, the Most High, ordered him to do in His statement: “And fight alongside those who have obeyed

³⁴⁸ Review “Section 14”

³⁴⁹ Review “Section 13”

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you against those who have disobeyed you.”³⁵⁰ And due to His, the Most High’s statement:

Then fight in the Cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers (to fight along with you), it may be that Allāh will restrain the evil might of the disbelievers.³⁵¹

So He, Glory be to Him, made the incitement of the believers to be a path for restraining the harm of the disbelievers and repelling their *Fitnah* by the *Jihād*. And this verse, and the *Hadīth* which preceded it, are two clear texts, which indicate the point.

Yes, the knowledge and the *Tarbiyah* are valid and are part of the preparation for the *Jihād* to form an assembly (*Tā’ifah*), which has strength and is able to establish the religion of Allāh, the Most High, in the earth. And despite that, we say that if the material strength is complete for the *Mujāhid* assembly, yet it is not at the acceptable level in *Tarbiyah*, then the obligation in the (*Islāmic*) legislation (*Shara’*) is to perform *Jihād* alongside them, in accordance with what *Ahl As-Sunnah Wal-Jamā’ah* settled upon, from the battling alongside the righteous one as well as the wicked one.

Conclusion: And from what which increases the danger of this misconception from the *Shaykh*, Al-Albānī, is that it has become a school of thought (*Math’hab*), in and of itself, which has followers

³⁵⁰ Narrated by Muslim from ‘Iyādh Ibn Himār

³⁵¹ *Sūrat An-Nisā’*, 84

who constantly repeat it in many of the countries of the Muslims. This misconception has even become a proof for everyone who remains behind from the *Jihād* and for everyone who holds onto this worldly life (*Dunyā*). And from those followers are those who flatter the *Tawāghīt* and participate with them in their Parliaments of *Shirk*. What *Tarbiyah* is this, which does not begin with the disbelief in the *Tāghūt*? He, the Most High, said:

Whoever disbelieves in *Tāghūt* and believes in Allāh, then he has grasped the most trustworthy handhold that will never break.³⁵²

...a negation before an affirmation, just like in the testimony (*Shahādah*), ‘*Lā Ilāha Ill-Allāh*’. And what *Tarbiyah* is it that does not begin with the disavowal from the disbelievers; the *Millah* of Ibrāhīm, ‘*Alayhi As-Salām*’, and He, the Most High, said:

To you be your religion, and to me my religion.³⁵³

And what *Tarbiyah* is this, which does not bear the fruit of the commanding of the good and the forbidding of the evil; the (very) stipulation for the goodness of this *Ummah*?

The *Shaykh* has followers who are upon blind following (*Taqlīd*) of this misconception as well as others. And the *Salafiyyah* – even with our opposition to this labeling – would not be a *Math’hab*, as it did not emerge (in the first place), except to wage war against the

³⁵² *Sūrat Al-Baqarah*, 256

³⁵³ **Trans. Note:** *Sūrat Al-Kāfirūn*, 6

blind following (*Taqlīd*) of a *Math'hab*. So the *Salafiyyah* should be a methodology, which is based upon the examination of the evidence and the following of it. Therefore, the *Salafiyyah* is a methodology and not a *Math'hab*. He, the Most High, said:

43

Enjoin you *Al-Birr* (piety and righteousness) on the people and you forget (to practice it) yourselves, while you recite the Scripture? Have you then no sense?³⁵⁴

And I previously stated, and I shall repeat it here, that this *Fitnah*; the *Fitnah* of the apostate rulers, surpasses the *Fitnah* of the creation of the *Qur'ān*, in its danger towards the *Ummah*. And it is not befitting for the *Shaykh*, Al-Albānī to have such mistakes coming from him in this matter.

And I hope that the *Shaykh* himself will clarify the point of the truth regarding this dangerous misconception; removing his blame and being enthusiastic upon his followers. And we do not reject his virtue and his efforts in serving the Prophetic *Sunnah*. And this misconception does not decrease his status, because for every steed is a stumble (every great one makes a mistake). And He, the Most High, said:

And had it been from other than Allāh, they would surely have found therein much contradictions.³⁵⁵

³⁵⁴ *Sūrat Al-Baqarah*, 44

³⁵⁵ *Sūrat An-Nisā'*, 82

And I ask Allāh, the Most High, the Great, to seal His presenter with righteous deeds. *Āmīn*.

Section 16: And the Living *Tawāghīt* Are a Greater *Fitnah* Than the Lifeless *Tawāghīt*

And by ‘the living *Tawāghīt*’, I mean the leaders of *Kufr* and the apostate rulers who rule the Muslims with replaced legislations and who spread *Kufr* and indecency amongst them. And by ‘the lifeless *Tawāghīt*’, I mean the graves and the stones and the trees and other than them, from the inanimate things, which are worshipped besides Allāh, the Most High, in all the various forms of worship, such as the supplication and the seeking of assistance and the sacrifices and the oaths and other than that. So there is no dispute regarding (the fact that) the living ones are a greater *Fitnah* and evil (*Fasād*) than those, due to what they have from authority and enticement and threatening, by which they put the people into trials. And due to that, the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ began the fighting against the living *Tawāghīt*, prior to removing the lifeless *Tawāghīt*, as the Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ did not remove the statues, except after the Conquest of Makkah. As Al-Bukhārī narrated from Ibn Mas’ūd, may Allāh be pleased with him, that he said, “The Prophet صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ entered *Makkah* on the Day of the Conquest, while around the House (i.e. *Ka’bah*) were three hundred and sixty idols. So he began to strike them with a stick, which he held in his hand, while saying: ‘**The truth has come and falsehood has been vanquished.**’ ‘**The truth has come and the falsehood shall not begin, nor will it return.**’”³⁵⁶ Then he

³⁵⁶ *Hadīth* #4,287

sent his companions to remove the remaining statues in the Arabian Peninsula, and that was after he removed the authority of the living *Tawāghīt*, while he objected to them as well as their statues, while he had disavowal from them from the very outset of his mission.

And this is the *Millah* of Ibrāhīm, ‘*Alayhi As-Salām*; the disavowal from the living disbelievers, even before the disavowal from their deities. He, the Most High, said:

Indeed there has been an excellent example for you in Ibrāhīm (Abraham) and those with him, when they said to their people: “Verily, we are free from you and whatever you worship besides Allāh...”³⁵⁷

And the statement from the *Shaykh*, Hamad Ibn ‘Atīq, regarding these verses has passed in Section 5. And He, the Most High, said:

Then, We have inspired you (O Muhammad SAW saying): "Follow the religion of Ibrāhīm (Abraham) *Hanīfa* (*Islāmic Monotheism* - to worship none but Allāh)³⁵⁸

And the point from what has passed is not to clarify the sequence, rather is it to clarify the importance, as my previous words do not

³⁵⁷ *Sūrat Al-Mumtahinah*, 4

³⁵⁸ *Sūrat Nah'l*, 123

mean the permissibility of remaining silent with regards to the lifeless *Tawāghīt* and their worshippers until we finish off the living *Tawāghīt*. Because the *Shari'ah* has been completed and whosoever of you sees an evil, then he must change it in accordance with one's ability. As for the importance, which I hoped to point out, then it is that the corruption of the living *Tawāghīt* towards the religion of the people continues to threaten a great number of the Muslims with total apostasy; sometimes by means of terror and sometimes be means of plotting and deception. And the lifeless *Tawāghīt* do not come close to this corruption in terms of their danger.

So it is strange that some people who are attributed to the knowledge and religion and the *Math'hab* of the *Salaf*, in this time, who have emptied their pens in attacking the lifeless *Tawāghīt*, while they have forgotten – or made themselves forget – the living *Tawāghīt*. And you see some of them living in a country, which is shaded by the fabricated laws of *Kufr*, and the democracy of *Kufr*, while he purposely (remains) completely ignorant regarding it, and he turns away from it. And he – despite this – unsheathes his sabre and his sword in the pages of the books, upon the lifeless *Tawāghīt* and upon their worshippers, who are unarmed. He, the Most High, said:

And you wished that the one not armed should be yours, but Allāh willed to justify the truth by His Words and to cut off the roots of the disbelievers.³⁵⁹

³⁵⁹ *Sūrat Al-Anfāl*, 7

So contemplate this and you will grasp some of the reasons for why we are in (the situation) we are currently in, from the tribulations and the trials. And it is the fact that those who are trusted in terms of knowledge and the religion have not fulfilled their duty in the conveyance and the warning. So how about those who became pleased and followed (the living *Tawāghīt*)? And how about those who label the *Shari'ah* upon those *Tawāghīt*? And when any of them speak about *Jihād*, you find him mentioning the *Jihād* in Palestine or Afghanistan only, because this is the amount, which is permitted in some of the countries, even though the *Jihād* against the apostate rulers is more obligatory than the *Jihād* against the Jews, because both of them are a disbelieving (*Kāfir*) enemy, which has invaded the country of the Muslims. And the apostate rulers surpass the Jews in two matters; the proximity and the apostasy. And both of these (matters) obligate beginning with those rulers.³⁶⁰

Just as it is not hidden that the one who performs *Jihād* in Palestine and in Afghanistan is called a ‘hero’ and a ‘*Shahīd*’, and the money and the assistance are heavily bestowed upon him. As for other than those two, then he is a criminal terrorist who goes out from beneath the *Shari'ah*; the *Shari'ah* of *Kufr*. So contemplate this.

And contemplate also, this *Hadīth*, so that you will grasp the danger of the living *Tawāghīt*, which is what Al-Bukhārī narrated from Qays Ibn Abī Hāzim: “A woman from Ah’mas asked Abū Bakr, as she said, ‘How long is our remaining upon this righteous matter, which Allāh brought after *Jāhiliyyah*?’ He said, ‘Your remaining upon it is as long as your leaders amongst you remain straight.’ She said, ‘And what are ‘the leaders’?’ He said, ‘Did

³⁶⁰ As it is in Sections 13 & 14

Fundamental Concepts for Al-Jihād

your people not have leaders and nobles who would order them, then they would obey them?’ She said, ‘Of course.’ He said, ‘Then they are those ones over the people.’³⁶¹ Ibn Hajar said in its explanation, “‘How long is our remaining upon this righteous matter...’ In other words, the religion of *Islām* and that which is included in it, such as justice and the unified opinion and the support of the one who has been wronged and putting everything in its (proper) place: ‘...as long as your leaders amongst you remain straight.’ In other words, because the people are upon the religion of their kings. So whoever, from the leaders deviates away from this condition, then he (himself) inclines and causes others to incline (likewise).”³⁶² And ‘Abdullāh Ibn Mubārak, may Allāh be merciful to him, said:

And did anything corrupt the religion except the Kings *And the Rabbis of evil and its Monks?*

I say: And from that which is regretful, is that the silence of those who are attributed to the knowledge with respect to the living *Tawāghīt*, has become a proof for the silence amongst a group from the young men and a proof for sitting back from the specified *Jihād*. And the *Jihād* has become, according to them, restricted to the *Jihād* against the grave worshippers and the *Sūfīs*. And do the grave worshippers and those involved in *Sūfīsm* live except within the shelter of the living *Tawāghīt*?

³⁶¹ *Hadīth* #3,834

³⁶² “*Fat'h Al-Bārī*”, Vol. 7/151

Section 17: And the Force of *Islām* is Formed From the Faith-Oriented Allegiance

- He, the Most High, said:

The believers, men and women, are *Awliyā'* of one another, they enjoin (on the people) *Al-Ma'rūf* and they forbid (people) from *Al-Munkar* and they perform *As-Salāt* and they give *Az-Zakāt*, and they obey Allāh and His Messenger. Allāh will have His Mercy on them. Surely Allāh is All-Mighty, All-Wise.³⁶³

- And He, the Most High, said:

And whosoever takes Allāh, His Messenger, and those who have believed, as Protectors, then verily, the party of Allāh will be the victorious.³⁶⁴

The first verse indicates the importance of the believers having allegiance with each other, in order to establish the faith-oriented obligations. And it (i.e. the verse) began with the commanding of the good and the forbidding of evil, due to the fact that its fruit will not be produced except by force and strength. And this force is

³⁶³ *Sūrat At-Tawbah*, 71

³⁶⁴ *Sūrat Al-Mā'idah*, 56

formed from the allegiance of the believers amongst one another. And in this way, the Muslim community (*Jamā'ah*), will be built, which was promised the mercy: **Allāh will have His Mercy on them.** And the Messenger of Allāh said, “*The Jamā'ah is mercy and the division is torment.*”³⁶⁵ And similar to this from the Book of Allāh is His, the Most High’s, statement:

And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.³⁶⁶

So the mercy is the reward of the allegiance and the torment is the punishment for division.

As for the second verse, then in it is the glad tidings of victory: **...then verily, the party of Allāh will be the victorious.** And in it there is a pointing to the obligation of the allegiance upon faith as a condition from the conditions of this victory. Because this verse began with a conditional clause: **...whosoever...** And the condition is the allegiance upon faith: **...takes Allāh, His Messenger, and those who have believed, as Protectors...** And the response for the condition is the glad tidings of the victory: **...then verily, the party of Allāh will be the victorious.** And contemplate the sequence in His, the Most High’s, statement: **And whosoever takes Allāh, His Messenger, and those who have believed, as Protectors...** Because in it, is an indication that the

³⁶⁵ Narrated by Ibn Abī ‘Āsim and Al-Albānī declared it ‘*Hasan*’: “*As-Sunnah*”, Vol. 1/44

³⁶⁶ *Sūrat Āl- ‘Imrān*, 105

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unity of the believers has no consideration unless it is based upon the allegiance to Allāh and His Messenger. And this would only be by holding steadfast to the Book and the *Sunnah*.

And the order for the obligation for the *Jamā'ah* has been clearly narrated in the statement of the Prophet : “*And I order you with five, which Allāh ordered me with: the Jamā'ah (community) and the listening and the obeying and the Hijrah (emigration) and the Jihād in the Path of Allāh.*”³⁶⁷ And this is a detailed *Hadīth* in the subject, which we are dealing with, as the *Hadīth* begins with the phrase: “*Al-Jamā'ah*”, and concludes with: “*Al-Jihād*”. So the path of the *Jihād* begins with the formation of a Muslim *Jamā'ah*, which is bound by faith-oriented allegiance. And it is a must for a *Jamā'ah* to have a head; “*Amīr*”. We have explained this in the third chapter of this treatise. As for the *Hadīth* of Al-Hārith, then the *Amīr* was not clearly mentioned, rather it was merely mentioned by way of implication. And it was pointed to in his statement, “*...and the listening and the obeying...*” In other words, to the *Amīr* of the *Jamā'ah*. And he mentioned, “*...and the listening and the obeying...*” because it is from the greatest causes for unity of the *Jamā'ah* and its remaining bound and its strength. Then he mentioned, “*Al-Hijrah*”, and I pointed to, in Section 11, that it is usually a prelude and an associate with the *Jihād* in the Path of Allāh. Then he concluded the *Hadīth* with the *Jihād* in the Path of Allāh, which was his indication that it is from the most important deeds of the Muslims; as in Section 9, and an indication of it as an end result of all of what precedes it. So with the *Jamā'ah* and the listening and the obeying, the necessary force for the *Jihād* will be formed. And with the *Hijrah*, the preparation and the becoming prepared for the *Jihād* would result.

³⁶⁷ Narrated by Ahmad from Al-Hārith Al-Ash'arī and Al-Albānī authenticated it

And the texts regarding the formation of the force, based upon the allegiance upon faith are many. From them is His, the Most High's, statement:

O Prophet! Incite the believers to fight.³⁶⁸

And His, the Most High's, statement:

Then fight in the Cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers (to fight along with you), it may be that Allāh will restrain the evil might of the disbelievers.³⁶⁹

So the prevention of the harm of the disbelievers would not be completed except with the force, which is achieved by inciting the believers. And Allāh, the Most High, said to His Prophet

, “*And fight alongside those who have obeyed you against those who have disobeyed you.*”³⁷⁰

From what has passed, you know the importance of a *Jamā'ah* for the *Jihād* and that its fruit, the victory, will not be achieved except with it: **And whosoever takes Allāh, His Messenger, and those who have believed, as Protectors, then verily the party of Allāh**

³⁶⁸ *Sūrat Al-Anfāl*, 65

³⁶⁹ *Sūrat An-Nisā'*, 84

³⁷⁰ Narrated by Muslim from ‘Iyādh Ibn Ḥimār

will be the victorious. And contrary to that, is that the division and the dispute is from the first reasons of defeat and disappointment. He, the Most High, said:

...and do not dispute (with one another) lest you lose courage and your strength depart, and be patient.³⁷¹

And this defeat is some of the punishment, which follows in His, the Most High's, statement:

And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.³⁷²

And Allāh, the Most High, has said:

And verily, We will make them taste of the near torment prior to the supreme torment (in the Hereafter), in order that they may (repent and) return (i.e. accept *Islām*).³⁷³

So the defeat and the humiliation of the Muslims by the disbelieving enemy, is from the lesser punishment, as a punishment for the division and the disputing. And I mentioned in

³⁷¹ *Sūrat Al-Anfāl*, 46

³⁷² *Sūrat Āl- 'Imrān*, 105

³⁷³ *Sūrat As-Sajdah*, 21

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the *Hadīth* of Thawbān, which Muslim narrated, that the enemy will not prevail over the Muslims in the decree, unless they dispute and fight (with one another).

And *Shaykh Al-Islām*, Muhammad Ibn ‘Abdul-Wahhāb, mentioned in his book “*Masā’il Al-Jāhiliyyah*”: “The Second: That they are divided and they see that the listening and the obeying is a humiliation and a vileness. So Allāh ordered them to be united and He forbade them from the division. He, the Most High, said: **And hold fast, all of you together, to the Rope of Allāh (i.e. this *Qur’ān*), and be not divided among yourselves, and remember Allāh's Favour on you, for you were enemies one to another but He joined your hearts together, so that, by His Grace, you became brethren and you were on the brink of a pit of Fire, and He saved you from it.** – the verse.”

And from that which is regretful is that you see now, in every country, various groups (*Jamā’āt*), which work in the name of *Islām*, divided and in disagreement. And this is from the characteristics of *Jāhiliyyah*. And I mentioned the remedy for this disease in the third chapter of this treatise, and that the people must unite upon the earliest *Jamā’ah*, from the groups, which follows the correct methodology. And the correct methodology in this era is the *Jihād* in the Path of Allāh, the Most High. And I mentioned in Section 16, that the greatest threat that faces *Islām*, are the living *Tawāghīt* and in Section 15, that the method of confronting them is established by the text and the consensus (*Ijmā’*), with which there is to be no *Ijtihād*. And the obligation for fighting them has been established, with the preparation when there is inability.

And I mentioned my evidence in how the obligation is to adhere to the earliest *Jamā’ah*, and that is the *Hadīth* of Abī Hurayrah, *Marfū’*: “*Fulfill the Pledge of Allegiance (Al-Bay’ah) of the*

*earliest, and then the next earliest.”*³⁷⁴ And I mentioned in the third chapter, the method for using that as evidence. And likewise is what Al-Qurtubī mentioned in the *Tafsīr* of His, the Most High’s statement:

And who is more unjust than those who forbid that Allāh's Name be mentioned much in Allāh's Mosques³⁷⁵

He said, “And the building of Mosques is not forbidden unless the splitting and the disputing is intended, such as if they build a Mosque beside a Mosque or near to it, hoping that by doing so, the people of the former Mosque will split, and to wreck it and to divide the word (i.e. opinion). Then the second Mosque is cancelled and prohibited to be built. And due to that, we have said, ‘It is not allowed to have two main congregational Mosques (*Jāmi’*) in a single city, not two *Imāms* for a single Mosque, and not to have two congregations praying in a single Mosque.”³⁷⁶ I say: And likewise, the establishment of more than one *Jamā’ah* in a single country is prohibited, due to what is in that from the division of the Muslims, and the division of their efforts and the harm upon them.

And if the persistent practice of the *Tawāghīt* is working to invent the divisions and the splitting, within a single *Jamā’ah*; especially if its body becomes strong and their attack is feared, so that the *Jamā’ah* will become preoccupied with the internal strife. So how about if the division exists from the very beginning?

³⁷⁴ Agreed upon

³⁷⁵ *Sūrat Al-Baqarah*, 114

³⁷⁶ “*Tafsīr Al-Qurtubī*”, Vol. 2/78

And due to that, we see the obligation of being unified upon the earliest *Jamā'ah*, which has the correct methodology. And we see that whoever assists the newer *Jamā'ahs*; then he is sinful, due to what it contains from the assistance upon the splitting and the division and the harming of the *Islāmic* work as a whole. He, the Most High, said:

And help you one another in *Al-Birr* and *At-Taqwa* (virtue, righteousness and piety); but do not help one another in sin and transgression.³⁷⁷

And he said, “*There is to be neither harming nor any (retaliatory) harm.*” And this is regarding the one who was aware of the earlier and the newer (groups).

Just as we see that the working of the Muslims in any matter other than *Jihād* in the Path of Allāh – in this time – as many of the *Islāmic* groups do, is a betrayal of Allāh and His Messenger

and a betraying of this religion and a losing of it. He, the Most High, said:

O you who believe! Betray not Allāh and His Messenger, nor betray knowingly your *Amānāt* (things entrusted to you).³⁷⁸

Verily, the *Jihād* presently, is *Fardh 'Ayn* upon the Muslims in most of the regions of the Earth. So the Muslim must perform

³⁷⁷ *Sūrat Al-Mā''idah*, 2

³⁷⁸ *Sūrat Al-Anfāl*, 27

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Jihād in his country or must perform the *Hijrah* to support his *Mujāhid* brothers in another country. And whoever is unable (with a valid excuse) from the (*Islāmic*) legislation (*Shara'*), to do one or the other, then he must spend his wealth in the Path of Allāh and must incite the believers upon the *Jihād*, and must strongly supplicate to Allāh, the Powerful, the Majestic, to destroy the disbelievers and give the believers a near rescue and a quick victory. Verily, every effort, which is put forth in other than the path of *Jihād*; then it is a wasted effort. And verily, any money that is spent in other than this path; then it is wasted money. It is obligatory to concentrate the efforts and the money, in order to turn the wheel of *Jihād*, which has been specified as the *Shari'ah*-oriented path to be rid (of this humiliation) in this era.

And it must not be absent from the minds; that which we established at the beginning of the discussion regarding the faith-oriented preparation, that the reasons for the failure of the Muslims are personal, internal reasons in the first place, due to His, the Most High's, statement:

...but whatever of evil befalls you, is from yourself.³⁷⁹

And due to His, the Most High's, statement:

And whatever of misfortune befalls you, it is because of what your hands have earned.³⁸⁰

³⁷⁹ *Sūrat An-Nisā'*, 79

³⁸⁰ *Sūrat Ash-Shūra*, 30

And that there is no hope for the overall rectification except after these personal, internal rectifications and changes occur, due to His, the Most High's, statement:

Verily! Allāh will not change the condition of a people until they change what is in themselves.³⁸¹

And based upon this, we say that the prevailing of the enemy over the Muslims and its humiliation of them is due to their division and their dispute, as in the *Hadīth* of Thawbān, *Marfū*, that Allāh, the Most High, said to his Prophet : “*And that I will not prevail over them, an enemy from other than themselves, which will permit their community, even if it unites against them from its regions, so that each of them would destroy one another.*” – the *Hadīth*.³⁸² And being rid of this disgraceful condition will not be, except by remedying its cause and that is through the unity of the Muslims. And just as the division was the cause of the enemy prevailing, it itself evolved out of other causes, which must be remedied. And from them is the taking the rulings of the religion lightly and ignoring the performance of some of them. This leads to the dispute and the division as a decreed punishment. He, the Most High, said:

But they abandoned a good part of that which they were reminded with. So We planted amongst them enmity and hatred³⁸³

³⁸¹ *Sūrat Ra'd*, 11

³⁸² Narrated by Muslim

³⁸³ *Sūrat Al-Mā'idah*, 14

And He, the Most High, said:

But they (men) have broken their religion among them into sects, each group rejoicing in its belief.³⁸⁴

And the remedy for this would be through the holding steadfast to the Book and the *Sunnah*, and I have mentioned its fundamentals earlier. With this, Allāh will join between the hearts, as He, the Most High, said:

He it is Who has supported you with His Help and with the believers. And He has united their (i.e. believers') hearts. If you had spent all that is in the earth, you could not have united their hearts, but Allāh has united them. Certainly He is All-Mighty, All-Wise.³⁸⁵

With this alone, the force of *Islām* will be formed as a fruit of the allegiance of faith.

Section 18: And the War is Deception

All of the people; the believers and the disbelievers from them, have agreed upon two principles from the principles of war. And they are the secrecy and the deception, upon variation in

³⁸⁴ *Sūrat Al-Mu'minūn*, 53

³⁸⁵ *Sūrat Al-Anfāl*, 62-63

understanding. However, the deception in war; it is not allowed for the believers to break the covenants, contrary to the disbelievers.

The Messenger of Allāh said, “*The war is deception.*”³⁸⁶ And this is from the methods of restricting the subject: “*The war...*” by the predicate: “*...deception.*” In other words, that the basis of the war and the most important of its pillars is the deception, like in his ’s statement, “*The Hajj is ‘Arafah.*” In other words, that it is the most important of what is in the *Hajj*, even though there are other pillars in the *Hajj*. And like his ’s statement, “*The religion is sincere conduct (Nasiḥah).*”

An-Nawawī said, “The scholars have agreed upon the permissibility of deceiving the disbelievers in war and in any possible way for deception, unless in it there is a breaking of a covenant or a (promised) security. In that case, it is not permitted.”³⁸⁷

And Ibn Hajar said, “And the basis of deception is showing something, while concealing its opposite. And in that, there is encouragement upon taking the precautions during war and the recommendation of deceiving the disbelievers, and that whoever is not aware enough for that, then he is not safe from it returning upon him. An-Nawawī said, ‘And they agreed upon the permissibility of deceiving the disbelievers during war in any way possible, unless in it there is the breaking of a covenant or a (promised) security. In that case, it is not permitted.’ Ibn Al-‘Arabī said, ‘The deception in war takes place through exposing

³⁸⁶ Agreed upon

³⁸⁷ “*Sahīh Muslim Bi’Sharh’ An-Nawawī*”, Vol. 12/45

vulnerabilities and ambushes and the likes of that. And in the *Hadīth* is a pointing to the use of the opinion in the war, furthermore, the need for it is even more affirmed than the bravery. And due to this, the restriction took place upon that which was pointed out in this *Hadīth*. And it is like his statement: ‘*The Hajj is ‘Arafah.*’ Ibn Al-Munīr said, ‘The meaning of ‘The war is deception’; in other words, the war which is good for the individual and comprehensive in its objectives, is only in the deception and not in the confrontation (itself). And that is due to the danger of confrontation and the achievement of victory with the deception, which is unaccompanied by danger.’³⁸⁸

I say: And in the *Hadīth*, there is the obligation of taking precautions in warfare, as your enemy wishes to deceive you just as you wish to (deceive him).³⁸⁹ And He, the Most High, said:

O you who believe! Take your precautions.³⁹⁰

And He, the Most High, said:

...and take your precautions.³⁹¹

And if this is the condition of the states and their armies towards one another, then how about the Muslims with their weakness and few numbers? There is no doubt that they are in more need to use

³⁸⁸ “*Fat’h Al-Bārī*”, Vol. 6/158

³⁸⁹ “*Nayl Al-Awtār*”, Vol. 8/57

³⁹⁰ *Sūrat An-Nisā’*, 71

³⁹¹ *Sūrat An-Nisā’*, 102

the deception and the stratagem and the creativity in confronting their enemies.

And the deception has strategic scenarios, which are known by the experts, such as the disguising and the camouflage and the fraud and the timing, and other than that. And we will not digress into these matters here, as this treatise is regarding the *Shari'ah*-oriented issues and not the strategic ones. But here, we will discuss some of the *Shari'ah*-oriented issues, which relate to the deception. And these *Shari'ah*-oriented issues are the lying and the assassinations. Then we shall discuss the secrecy, and between it and deception, is a generality as well as a specification.

Firstly: The Lying to the Enemies

And I did not say, "...lying during war," because it is permitted to lie to the enemy during wartime as well as during other than in wartime, as I will prove *Inshā' Allāh, Ta'āla*.

A. As for during wartime, then regarding it, there is the *Hadīth* of Umm Kalthūm Bint 'Uqbah that she said, "I did not hear the Messenger of Allāh allowing a concession (*Rukhsah*) in anything from lies which the people speak between each other, except in war and the reconciliation between the people and the man speaking with his wife and the wife speaking with her husband."³⁹²

An-Nawawī said, "The permissibility of lying in three things is affirmed in the *Hadīth*. One of them is the war. At-Tabarī said,

³⁹² Narrated by Ahmad and Muslim and Abū Dāwūd. And At-Tirmithī narrated likewise from Asmā' Bint Yazīd.

‘All that is allowed from lying in war is the insinuations and not the actual lie, as it is not permissible.’ These are his words, but the outward appearance is the permissibility of the actual lying itself, but restricting it to the insinuation is better, and Allāh knows best.”³⁹³

And Ibn Hajar said, “An-Nawawī said, ‘The outward appearance is the permissibility of the actual lying, in the three matters, but the insinuation is more appropriate.’ And Ibn Al-‘Arabī said, ‘And the lie in warfare is from that which is an exception permitted by the text, out of mercy towards the Muslims, due to their need for it, in which there is no room for the intellect. And if the forbiddance of lying were from the intellect, then it would not have become switched to lawful.’”³⁹⁴ – concluded.

B. As for the lying to the enemy during other than wartime, then it is permitted, due to (various) reasons. From them is that which has in it from the religious benefits or the benefits of this life for the believer or the being rid of the harm of the disbelievers. And its evidences are:

- The story of Ibrāhīm, ‘Alayhi As-Salām. The Messenger of Allāh said, “*Ibrāhīm, ‘Alayhi As-Salām, did not lie except for three lies; two of them in the right of Allāh, the Powerful, the Majestic as in his statement: Verily, I am sick... and his statement: Nay, this one, the biggest of them (idols) did it.*” And he said, ‘And while he was with Sarah, one day he came upon a giant from the giants. So it was said to him, ‘There is a man who has with him a woman from the most beautiful people. So he sent to

³⁹³ “*Sahīh Muslim Bi ’Sharh’ An-Nawawī*”, Vol. 12/45

³⁹⁴ “*Fat’h Al-Bārī*”, Vol. 6/159

him and asked him about her as he said, ‘Who is this?’ He said, ‘My sister.’ So he went to Sarah and said, ‘O Sarah, there are no believers on the face of the Earth except for you and I. And this one asked me about you, so I informed him that you are my sister. So do not show what I said to be a lie.’ – the *Hadīth*.³⁹⁵ Ibn Hajar said in his explanation, “Otherwise the unrestricted lying in the likes of those situations is permitted and it may even be obligatory to carry the lesser of the two harms in repelling the greater of the two. As for his labeling them as lies, then he did not mean that they are blameworthy, as the lying; even if it is disgraceful and immoral, but it may be good in certain situations, this (example) was one of them. His statement: ‘...two of them in the right of Allāh...’ He specified them with that because the story of Sarah; even if it is also in the right of Allāh, it still included a share for himself and a benefit for him, contrary to the other two, as they were both in the right of Allāh alone. And it has come in the narration of Hassān, which was mentioned, *Verily, Ibrāhīm did not lie at all except three lies. All of them were in the right of Allāh.*” And in the *Hadīth* of Ibn ‘Abbās, from Ahmad: ‘By Allāh, he did not argue with them except for the religion of Allāh. ,,,³⁹⁶

I say: So this lie; from it is that which has a religious benefit in it and from it is that which contained the fleeing from the harm of the disbelievers.

- And the story of ‘The Companions of the Trench’, and in it is narrated that which Muslim reported from Suhayb, may

³⁹⁵ Narrated by Al-Bukhārī from Abū Hurayrah

³⁹⁶ “*Fat’h Al-Bārī*”, Vol. 6/392

Allāh be pleased with him, that the Messenger of Allāh said, “*There was a King amongst those who came before you and he had a sorcerer. Then when he became old, he said to the King, ‘Verily, I have become old, so send me a boy who I can teach the sorcery to.’ So he sent to him a boy to teach. And along the path, which he took, there was a monk. So he sat with him and listened to his words, and they attracted him. And when he would go to the sorcerer, he would pass by the monk and he would sit with him. Then when he came to the sorcerer, he would beat him. So he complained about that to the monk, so he said, ‘If you fear the sorcerer, then say, ‘My parents held me back.’ And if you fear your parents then say, ‘The sorcerer held me back.’*” – The *Hadīth*.

An-Nawawī said in his explanation, “And in it, there is the permissibility of lying during war and the likes of it, as well as in rescuing oneself from destruction, whether it is himself or the self of another, from those who have a sanctity.”³⁹⁷

I say: And this was not during the state of war but I believe that An-Nawawī was pointing to how that if it is permitted to lie to a disbeliever (*Kāfir*) in other than war; then during war it would be even more acceptable. And the aforementioned *Hadīth*, as well as the *Hadīth* of Ibrāhīm ‘Alayhi As-Salām; in them there is the permissibility of lying in order to be saved from the harm of the disbelievers. And An-Nawawī said elsewhere, “They said, ‘And there is no disagreement that if an oppressor (*Thālim*) wanted to kill a man who was hiding with

³⁹⁷ “*Sahīh Muslim Bi’Sharh’ An-Nawawī*”, Vol. 18/130

another man, then it is obligatory upon him to lie by (saying) that he does not know where he is.”³⁹⁸

- And it is permitted to lie to the disbeliever for a benefit in this life. And about this, there is the story of Al-Hajjāj Ibn ‘Ilāt, which Ibn Hajar pointed to in “The Chapter of Lying During War”. He said, “And it is strengthened by that which Ahmad and Ibn Hibbān narrated from the *Hadīth* of Anas, regarding the story of Al-Hajjāj Ibn ‘Ilāt, which was narrated by An-Nasa’ī and authenticated by Al-Hākim, regarding his asking the Prophet ﷺ for permission to say what he wanted about him for his benefit in obtaining his wealth from the people of Makkah. And the Prophet ﷺ gave him the permission for him to inform the people of Makkah that the people of Khaybar, had beat the Muslims, and other than that from what is known regarding that.” – until he said – “The story of Al-Hajjāj Ibn ‘Ilāt also was not during circumstances of war.”³⁹⁹ And Ibn Kathīr narrated this story of Al-Hajjāj in full, in “*Al-Bidāyah Wan-Nihāyah*”.⁴⁰⁰

I say: This is regarding that which concerns lying to the enemy during war and other than that. And all of this is included in the deception.

Secondly: The Permissibility of Assassinating the Muhārib Disbeliever

³⁹⁸ “*Sahīh Muslim Bi ’Sharh’ An-Nawawī*”, Vol. 16/158

³⁹⁹ “*Fat’h Al-Bārī*”, Vol. 6/159

⁴⁰⁰ “*Al-Bidāyah Wan-Nihāyah*”, Vol. 4/215

The *Muhārib*, in other words, the one who has no covenant, and the *Sunnah* is narrated with that (i.e. assassination) regarding those whose harm is severe towards Allāh and towards His Messenger . And an indication of that is narrated in His, the Most High's, statement:

...then kill the *Mushrikīn* wherever you find them, and capture them and besiege them, and prepare for them each and every ambush.⁴⁰¹

Al-Qurtubī said, “... and prepare for them each and every ambush. In other words, wait for them in the places of heedlessness where they conduct reconnaissance. And this is an evidence for the permissibility of assassinating them prior to the *Da’wah*.” I say: The statement of Al-Qurtubī: “...prior to the *Da’wah*...” in other words, to the one who had been reached by the *Da’wah* previously. And this verse: **and prepare for them each and every ambush...**; in it there is evidence for the permissibility of the surveillance and the reconnaissance and the spying upon the enemy.

As for the *Sunnah*, the Messenger of Allāh had ordered the killing of Ka’b Ibn Al-Ashraf and Abī Rāfi’ Ibn Abī Al-Huqayq, who were both from the Jews.

- As for Ka’b, he used to incite the *Mushrikīn* against the Muslims, and he used to insult the Prophet , with his poetry and rhapsodize (write erotic poetry) against the

⁴⁰¹ *Sūrat At-Tawbah*, 5

women of the Muslims. And the story of his assassination was narrated by Al-Bukhārī and Muslim, as Al-Bukhārī narrated it from Jābir: “The Messenger of Allāh said, ‘Who is for Ka'b Ibn Al-Ashraf, as he has insulted Allāh and His Messenger?’” So Muhammad Ibn Maslamah stood up and said, ‘O Messenger of Allāh, would you like for me to kill him?’ He said, ‘Yes.’ He said, ‘Then give me permission to say something.’ He said, ‘Say it.’ So Muhammad Ibn Maslamah came to him.”⁴⁰² And in the *Hadīth* that Muhammad Ibn Maslamah, and those with him deceived Ka'b in (claiming) that they were frustrated with the Prophet and they deceived him, until they killed him, while he was in a well fortified fortress.

Ibn Hajar said, “And in the *Mursal* (narration) of ‘Ikrimah: ‘So the Jews became terrified, so they came to the Prophet and said, ‘Our leader was killed by assassination.’ So the Prophet reminded them about his deeds and what he used to incite against him, while insulting the Muslims.’ Ibn Sa’d added, ‘So they were frightened and did not say anything (further).’” – until Ibn Hajar said – “And in it, there is the permissibility of killing the polytheist (*Mushrik*) without *Da’wah* as long as the general *Da’wah* has reached him. And in it, there is the permissibility of saying that which is necessary during war, even if the one saying it did not really mean it.”⁴⁰³ And Al-Bukhārī narrated this *Hadīth* in “The Book of *Jihād*: ‘Chapter of Lying in War’ and ‘Chapter of Assassinating the People of War’”.

⁴⁰² *Hadīth* #4,037

⁴⁰³ “*Fat’h Al-Bārī*”, Vol. 7/340

I say: So whoever describes the assassination of the disbelievers who make war against Allāh and His Messenger as betrayal and the likes of that, or that *Islām* forbids that, then he is a misguided one who has *Tak thib |* (i.e. does not accept the truthfulness) of the Book and the *Sunnah*. And An-Nawawī has said, “He – Al-Qādhī ‘Iyādh – said, ‘And it is not permitted for anyone to say that his killing was a betrayal. And one person said this in a gathering with ‘Alī Ibn Abī Tālib, may Allāh be pleased with him, so he (i.e. ‘Alī) ordered for his neck to be struck (i.e. decapitation).’”⁴⁰⁴ And this latter event was pointed out by Al-Qurtubī in the *Tafsīr* of His, the Most High’s, statement:

...then fight the leaders of disbelief.⁴⁰⁵

And Ibn Taymiyyah mentioned it in his book “*As-Sāram Al-Maslūl ‘Ala Shātim Ar-Rasūl*”. And he mentioned a story, which occurred between Mu’awiyah and Muhammad Ibn Maslamah, may Allāh be pleased with them.

- As for Ibn Abī Al-Huqayq, he was a Jew from Khaybar and he was the merchant of Al-Hijāz, and he went to Makkah and enraged Quraysh against the Prophet until they gathered the confederates (*Al-Ah’zāb*) and it was the Battle of Al-Ah’zāb, and he was the igniter of its flame. Al-Bukhārī narrated from Al-Barā’ Ibn ‘Āzib who said, “The Messenger of Allāh sent men from the Ansār to Abī Rāfi’, the Jew, and he put ‘Abdullāh Ibn ‘Atīq in charge over them. And

⁴⁰⁴ “*Sahīh Muslim Bi ’Sharh’ An-Nawawī*”, Vol. 12/160

⁴⁰⁵ *Sūrat At-Tawbah*, 12

Abū Rāfi' used to insult the Messenger of Allāh and would help against him. And he was in a fortress of his in the land of Al-Hijāz.”⁴⁰⁶ And he narrated from him as well, that he said, “The Messenger of Allāh sent a group to Abī Rāfi', then ‘Abdullāh Ibn ‘Atīq entered upon him in his house, at night, while he slept, and he killed him.”⁴⁰⁷ And Ibn ‘Atīq deceived with many various deceptions until he killed him, as he deceived until he entered the fortress. Then he closed the doors of the houses of the Jews from outside. Then he went to Abī Rāfi' and he would not enter any door except that he closed it from inside and he disguised his voice so that he would not be recognized. Ibn Hajar said, “And in the *Hadīth* from the benefits there is the permissibility of assassinating the *Mushrik* who has been reached by the *Da'wah* but who persists, and the killing of the one who offers support against the Messenger of Allāh with his hand (i.e. physically) or with his money (i.e. financially) or with his tongue (i.e. verbally), and the permissibility of spying upon the people of war and looking for their inattentiveness, and being extremely dedicated in waging war against the *Mushrikīn* and the permissibility of being ambiguous in speech, due to a benefit and the opposition of small numbers of the Muslims against numerous *Mushrikīn*.”⁴⁰⁸ And Al-Bukhārī narrated it within “The Book of *Jihād*: Chapter of Killing the Sleeping *Mushrik*”.

- And regarding this issue, the *Shaykh*, ‘Abdur-Rahmān Ad-Dawsarī, may Allāh be merciful to him, said in mentioning the

⁴⁰⁶ *Hadīth* #4,039

⁴⁰⁷ *Hadīth* #4,038

⁴⁰⁸ “*Fat'h Al-Bārī*”, Vol. 7/345

levels of worship, in his *Tafsīr* of His, the Most High's, statement:

You (Alone) we worship, and You (Alone) we ask for help.⁴⁰⁹

He said, "Then the preparation of strength in accordance with one's ability is from the obligations of the religion, and from the necessities to establish it. So the one who correctly worships Allāh, is not afflicted by the postponement in this, let alone abandoning it or taking it as insignificant. And also, the worshipper of Allāh who is determined upon the *Jihād* in himself, would be carrying out the assassinations of the leaders of disbelief, from the callers to atheism and the outright permissibility (i.e. liberalism) and everyone who attacks of the revelation of Allāh or the one who puts forth his pen or his campaigns against the Clearly True (*Hanīf*) religion, because this one is an insulter of Allāh and His Messenger . It is not permissible for the Muslims in the regions of the Earth, from the specific (Scholars, *Mujāhidīn*, etc.) or the general ones (layman), to leave him living, because he is more harmful than Ibn Abī Huqayq, and others besides him, from those who the Messenger of Allāh recommended their assassination. So the abandonment of the assassinations of those who inherited from them (i.e. those who wage war against Allāh and his Messenger), in this time, is a removal of the last testament of the *Al-Mustafā* (i.e. the Prophet), and a terrible breach the worship of Allāh and a horrible hideous legitimizing of the axes of destruction against the religion of Allāh, and its emergence cannot be

⁴⁰⁹ Trans. Note: *Sūrat Al-Fātihah*, 5

explained except by (saying there is) the absence of protective instincts (*Ghīrah*) towards the religion of Allāh, and any anger (on behalf) of His noble Face. And that is a great shortcoming in the love of Allāh and His Messenger and their glorification, which would not come from someone who has established the worship of Allāh upon its correct, intended meaning.”⁴¹⁰

I say: And here is an issue, which has emerged, and it is that if it is not possible to kill a disbeliever (*Kāfir*) except by killing those who are with them from the women and children; is it allowed or not? The answer: It is allowed to kill them even if they do not fight or assist and that is (only) if it is impossible to kill the disbeliever, except by doing so and as long as it is not the intention to kill them. And there are two *Hadīths* regarding this issue:

- The *Hadīth* of Ibn ‘Umar, who said, “A woman was found killed in one of those battles, so the Messenger of Allāh forbids the killing of women and children.” And in a narration, “he disapproved” instead of “forbid.”⁴¹¹
- And the *Hadīth* of As-Sa’b Ibn Jathāmah, who said, “The Messenger of Allāh was asked about the offspring of the *Mushrikīn* when they are attacked by night, such that some of their women and offspring will (also) be attacked (due to the darkness, which prevents the differentiation). So he said, “*They are from them.*”⁴¹² And in a narration, “That it was said to the Prophet ‘What

⁴¹⁰ From “*Safwat Al-‘Āthār Wal-Mafāhīm Min Tafsīr Al-Qur’ān Al-‘Athīm*”, Vol. 1/268 by the *Shaykh*, ‘Abdur-Rahmān Ad-Dawsarī; publication of “*Dār Al-Arqam*”, 1404 H.

⁴¹¹ Agreed upon both of them

⁴¹² Agreed upon

if cavalry attacks at night and they strike some of the children of the *Mushrikīn*?’ He said, ‘*They are from their fathers.*’⁴¹³

An-Nawawī said, ‘‘*They are from their fathers.*’ In other words, there is no problem with that because the rulings upon their fathers are implemented upon them in the inheritance and in marriage and in equity in penalties (*Qisās*) and in blood-money and in other than that. And what is meant is that if they are not intended, for other than a necessity, as for the aforementioned *Hadīth* about the forbiddance of killing the women and children, then what is meant is if it is possible to differentiate (between the target and those who are present from women and children). And this *Hadīth*, which we have just mentioned, regarding the permissibility of attacking at night and killing the women and children, during the night attack; it is our scholarly opinion (*Math’hab*), as well as the scholarly opinion (*Math’hab*) of Mālik and Abī Hanīfah, as well as the majority. And the meaning of the night attack and the attacking them at night is raiding against them at night, where the man would not be recognized apart from the woman and child. As for the “*Tharārī*” (offspring), with the emphasis on the (letter) “ ” (“*Yā* ”) – or without the emphasis, according to both dialects, whereas the emphasis is more correct – and the meaning of the offspring here is the women and children. And in this *Hadīth*, there is evidence upon permissibility of attacking at night and the permissibility of raiding upon those who the *Da’wah* has reached, without informing them about that. And in it, there exists that the children of the *Mushrikīn*; their ruling in this life is the (same) ruling as upon their fathers. As for in the hereafter, then regarding them, if they died before maturity, there are three scholarly opinions.’’⁴¹⁴

⁴¹³ Narrated by Muslim

⁴¹⁴ “*Sahīh Muslim Bi’Sharh’ An-Nawawī*”, Vol. 12/48-50

And Ibn Qudāmah said, “And it is allowed to attack at night, and it is to attack them surprisingly at night, and to kill them while they are inattentive. Ahmad said, ‘There is no problem with attacking at night. And did they (i.e. the *Sahābah*) attack Rome except at night time?’” And he said, ‘And we do not know of anyone who disapproved of attacking the disbelievers at night.’ And Sufyān read upon him, from Az-Zuh’rī from ‘Abdullāh from Ibn ‘Abbās from As-Sa’b Ibn Jathāmah, who said, ‘I heard the Messenger of Allāh being asked about the homes of the *Mushrikīn*: ‘We attack them at night, then we strike some of their women and their offspring.’ So he said, ‘*They are from them*.’ So he said, ‘The chain (of narration) is good.’ So if it is said that the Prophet forbade the killing of women and children, then we say that this is held upon the intentional killing of them. Ahmad said, ‘As for the killing of them intentionally, then no.’ He said, ‘The *Hadīth* of As-Sa’b came after the forbiddance of killing the women and children, because his forbiddance of killing the women was when he sent (men) to Ibn Abī Huqayq, and because it is possible to reconcile the two (*Hadīths*); the forbiddance upon intentionally (killing them), and the permissibility for what is besides that.”⁴¹⁵

I say: And Ibn Hajar pointed to the possibility of its abrogation, in his explanation of the *Hadīth* of As-Sa’b, due to an additional phrasing narrated *Mudarraj*,⁴¹⁶ from the statement of Az-Zuh’rī,

⁴¹⁵ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/503

⁴¹⁶ **Trans. Note:** Ibn Kathīr may Allāh be merciful to him: “And it is that a phrase, which is from the words of the narrator, is added in the *Matn* (text) of the *Hadīth*. So the one who hears it thinks that it is *Marfū’* (raised up) in the *Hadīth*, so he narrates it like that.” “*Al-Bā’ith Al-Hathīth Sharh’ Ikhtisār ‘Ulūm Al-Hadīth*” page 69, published by *Dār Al-Kutub Al-‘Ilmiyyah* in Beirut

in ‘*Sunan Abī Dāwūd*’, as he said at its end: ‘Sufyān said, Az-Zuhrī said, ‘The Messenger of Allāh forbade the killing of the women and children after that.’’ And Ibn Hajar said, ‘And it is as if Az-Zuhrī pointed to the abrogation of the *Hadīth* of As-Sa’b, with that, based upon the differing dates of this forbiddance, which are narrated. Because it is said that it was when he sent (men) to Ibn Abī Al-Huqayq, which was narrated by Abū Dāwūd and it is (also) said on the Day of Hunayn, which was narrated by Ibn Hibbān.’’⁴¹⁷

And Abū Bakr Al-Hāzimī mentioned these two *Hadīths* and said that a group has taken (the opinion) that the first abrogated the second and a group (took the) opposite (opinion) to that. And a group took (the opinion) of reconciling between them. Then he mentioned the statement of Ash-Shāfi’ī, which supports the reconciliation: ‘Ash-Shāfi’ī said, ‘The *Hadīth* of As-Sa’b took place during the last ‘*Umrah* of the Prophet , so if it was during his first ‘*Umrah*, then Ibn Abī Huqayq was killed prior to that and it is said (that this was) the same year. And if it was during his last ‘*Umrah*, then it was after the matter of Ibn Abī Huqayq, without doubt. And Allāh knows best.’’ Ash-Shāfi’ī, may Allāh be merciful to him, said, ‘And we do not take the understanding that he gave the concession (*Rukhsah*) for the killing of the women and children and then later forbade it. And the meaning of the forbiddance of killing women and children, in our opinion, and Allāh knows best, is if he intentionally kills them and if they are recognizable and distinguishable from those who were ordered to be killed from them. And the meaning of his statement: ‘...from them...’ is that they (have in them) two characteristics; that they are not ruled upon with faith (*īmān*), which would make their

⁴¹⁷ “*Fat’h Al-Bārī*”, Vol. 6/147

blood impermissible, nor are they ruled upon as living within the state of faith (*Dār Al-Īmān*), which prohibits the raiding upon the home. And due to this, the Prophet ﷺ permitted the night attack and the raiding upon the home and he raided upon Banī Al-Mustalaq, while they were inattentive. And the knowledge exists that the night attack and the raiding; if they were permitted by the permission of the Messenger of Allāh ﷺ, it is unavoidable that someone would attack at night or raid without attacking the women and children. So the sin and the expiation and the blood-money and the *Qisās* (punishment by retribution) falls off of them with regards to those who were attacked, if the night attack and the raiding were permitted. And they do not have the sanctity of *Islām*. And it would not be for him to intentionally kill them when they are distinguishable and while he can recognize them. And he only forbade the killing of the children because they did not reach puberty upon kufr then act upon it so have to be killed for it, and from killing the women because they have no drive within them for fighting and because they and the children are a grant, so they would be an (added) strength for the people of the religion of Allāh, the Mighty, the Majestic.”⁴¹⁸

I say: The summary of the statement of Ash-Shāfi’ī – and it was what An-Nawawī mentioned previously – is that there is no sin in killing the offspring if they are not differentiable from those whose killing is intended from the disbelievers, as long as he does not intend to kill them. And Allāh, the Most High, knows best.

Thirdly: The Secrecy in Islām

⁴¹⁸ “*Al-‘Itibār Fī An-Nāsikh Wal-Mansūkh*”, by Al-Hāzimī, page 215, publication of “*Matabat Al-Andalus*”, in Hims, 1386 H.

The secrecy in *Islām* can tie in with the *Da’wah* as a whole, or with the individual or with the military operations. And each of these points has its evidence:

A. The Secrecy in *Da’wah*:

The basic principle in the *Da’wah* in *Islām* is that it is out loud and publicly declared. And that is because it is a *Da’wah* to all of the creation, and due to His, the Most High’s, statement:

O Messenger! Proclaim (the Message) which has been sent down to you from your Lord. And if you do not, then you have not conveyed His Message.⁴¹⁹

And despite that, the Prophet continued to conceal his *Da’wah* until Allāh permitted him.

As Al-Bukhārī narrated from Ibn ‘Abbās, may Allāh be pleased with them, regarding His, the Most High’s, statement: **And offer your *Salāt* (prayer) neither aloud nor in a low voice...**⁴²⁰ was revealed while the Messenger of Allāh was concealing himself in Makkah.⁴²¹ Ibn Hajar said, “Concealing himself in Makkah...”, meaning in the beginning of *Islām*.⁴²²

And in the *Tafsīr* of His, the Most High’s, statement:

⁴¹⁹ *Sūrat Al-Mā’idah*, 67

⁴²⁰ **Trans. Note:** *Al-Isrā’*, 110

⁴²¹ *Hadīth* #4,722

⁴²² “*Fat’h Al-Bārī*”, Vol. 8/405

Therefore proclaim openly that which you are commanded and turn away from *Al-Mushrikīn*.⁴²³

Ibn Kathīr said, “And Abū ‘Ubaydah said, from ‘Abdullāh Ibn Mas’ūd, “The Prophet remained concealed until: **Therefore proclaim openly that which you are commanded...** was revealed.”⁴²⁴

B. The Secrecy of the Individuals About Their Faith: “Concealing the *Imān*”:

And the evidence is:

- His, the Most High’s, statement:

And a believing man of Fir’awn’s (Pharaoh) family, who hid his faith said...⁴²⁵

- And He, the Most High, said about the people of the cave:

⁴²³ **Trans. Note:** *Sūrat Al-Hijr*, 94

⁴²⁴ *Tafsīr Sūrat Al-Hijr*

⁴²⁵ *Sūrat Ghāfir*, 28

So send one of you with this silver coin of yours to the town, and let him find out which is the good lawful food, and bring some of that to you. And let him be careful and let no man know of you. For if they come to know of you, they will stone you or turn you back to their religion, and in that case you will never be successful.⁴²⁶

So the secrecy was in His, the Most High's, statement: **...and let no man know of you.**

- And from Ibn ‘Abbās, may Allāh be pleased with them, that the Messenger of Allāh said to Al-Miqdād, “If a man were to conceal his faith amongst a disbelieving people, then he showed his faith and they killed him, then that is how you were concealing your faith in Makkah before.”⁴²⁷
- And in the story of the *Islām* of Abī Tharr Al-Ghafārī, may Allāh be pleased with him, that he entered upon the Prophet and said, “Present *Islām* to me.” So he presented it to me, then I entered *Islām* at my (very) spot. So he said to me, ‘*O Abū Tharr, conceal this matter and return to our city. Then when (news of) our emergence reaches you, then come forward.*’ So I said, ‘By the One who sent you with the truth, I will shout it out loud amongst their backs.’⁴²⁸
- And Al-Hajjāj Ibn ‘Ilāt As-Sulamī concealed his *Islām* from the people of Makkah and he asked permission from

⁴²⁶ *Sūrat Al-Kahf*, 19-20

⁴²⁷ Narrated by Al-Bukhārī, *Ta'līqān* (i.e. without mentioning the beginning of the chain) *Hadīth* #6,866

⁴²⁸ Narrated by Al-Bukhārī, *Hadīth* #3,522

the Prophet to lie to them until he collected his money, which was in Makkah.⁴²⁹

- And Muslim narrated in “The Book of Faith”, within “The Chapter of the Permissibility for the Frightened One to Leave the Faith Secret”, from Huthayfah, may Allāh be pleased with him, that he said, “We were with the Messenger of Allāh when he said, ‘Count for me how many declare Islām.’ We said, ‘O Messenger of Allāh, do you fear for us while we are between six hundred and seven hundred?’ He said, ‘Verily, you do not know. Perhaps you will be tested.’ He (i.e. Huthayfah) said, ‘So we were tested to such an extent that a man from us could not even pray except in secrecy.’” And Al-Bukhārī narrated it, and in it there is: “And I witnessed that we were tested to the extent that a man from us would pray alone, while being frightened.”⁴³⁰ An-Nawawī said, “As for his statement: ‘...we were tested to such an extent that a man from us could not even pray except in secrecy’, perhaps it was during some of the tribulations, which took place.”⁴³¹

I say: And as you see that the concealing of faith, and it was what we referred to as “Secrecy”, is permissible and in compliance with the (*Islāmic*) legislation, especially in the circumstances when the harm of the disbelievers is feared. And *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, said, “So whoever from the believers is in a land, which he is repressed in, or in a time which he is repressed in, then he should act upon the verses of patience and remission upon those who insult Allāh and His

⁴²⁹ Look to his story in “*Al-Bidāyah Wan-Nihāyah*”, Vol. 4/215

⁴³⁰ *Hadīth* #3,060

⁴³¹ “*Sahīh Muslim Bi’Sharh’ An-Nawawī*”, Vol. 2/179

Messenger from those who were given the book (i.e. Jews and Christians) and the *Mushrikīn*. As for the people of strength, then they must only act upon the verses of fighting the leaders of disbelief, who insult the religion, and upon the verses of those who were given the book (i.e. Jews and Christians) until they pay the *Jizyah* willingly, while finding themselves subdued.”⁴³²

C. The Secrecy in the Military Operations:

I said (earlier) that the basic principle regarding the *Da’wah* is for it to be out loud and the exception was the secrecy. As for the military operations, then it is opposite to that. The basic principle regarding them is secrecy. And any way, which makes it possible to conceal the information and the secrets and the movements; then it is obligatory. And all of this is with the goal of establishing the branch of unexpectedness and surprising the opposition and it is from the most important reasons for the victory. As for the evidences for the secrecy in the military operations, they are:

- What Al-Bukhārī narrated from Ka'b Ibn Mālik, in the story of his remaining behind in the event of the battle of Tabūk. He said, “And the Messenger of Allāh would not intend a battle, except that he would send misinformation about other (details), until the Messenger of Allāh fought that battle in the extreme heat, while facing a long desert journey, and numerous enemies. So he clarified for the Muslims their matter so that they could prepare their equipment for their battle. So he informed with a facial gesture for what he intended.”⁴³³ So

⁴³² “*As-Sāram Al-Maslūl*”, page 221

⁴³³ *Hadīth* #4,418

his statement: “the Messenger of Allāh would not intend a battle, except that he would send misinformation about other (details)...” indicates that the basic principle in the military operations is that they are in secrecy. And Abū Dāwūd narrated it and added (in his version): “And he used to say, *‘The war is deception.’*” And this *Hadīth* contains a beneficial point, which relates to the secrecy. And that is that it is permitted for the *Amīr* to go out with the army to battle, and most of the army does not know of the direction of the battle, with the evidence of the statement of Ka'b: “So he clarified for the Muslims their matter so ... So he informed with a facial gesture for what he intended.” And that was during the battle of Tabūk and none other. And I mentioned this beneficial point so that none of the soldiers will say, “I shall not go out to the battle unless I know its direction.” And in the *Hadīth*, there is another beneficial point, which is that the concealing of the information is not only from the enemy; rather from the ally as well. And the goal is to restrict the information to the tightest circle, in order to prevent its leakage as much as possible, as the enemy has spies and the ally may (carelessly) speak. And in the wise expression: “Your secret is from your blood. So look to where you put it.”

- And from that also, is the pledge of allegiance (*Bay'ah*) of Al-‘Aqabah, with the *Ansār*. And it was done secretly.⁴³⁴
- And from that also, is the *Hijrah* of the Prophet from Makkah to Al-Madīnah, which was done secretly. He, the Most High, said:

⁴³⁴ “*Al-Bidāyah Wan-Nihāyah*”, Vol. 3/160

If you help him not (it does not matter), for Allāh did indeed help him when the disbelievers drove him out, the second of two, when they were in the cave, and he said to his companion: “Do not despair, verily Allāh is with us.”⁴³⁵

And Abū Bakr, may Allāh be pleased with him, said, “I said to the Prophet ﷺ, while I was in the cave, ‘If any of them looks to his feet, then he will see us.’ So he said, ‘What do you assume, O Abū Bakr, about two whom Allāh is their third?’”⁴³⁶ And the Prophet ﷺ said to Surāqah Ibn Mālik, when he followed them, “Conceal us (i.e. our tracks).”⁴³⁷

- And from the secrecy also, is what the Prophet ﷺ did with the platoon of ‘Abdullāh Ibn Jah’sh. He wrote a letter to him and ordered him not to open it until after a two-day journey, then to carry out what was in it. And the story will come in the Fifth Chapter, by the permission of Allāh, the Most High.
- And from the secrecy of the military operations, is the spying upon the enemy. And the Prophet ﷺ used to send spies to his enemies, as he sent Huthayfah to

⁴³⁵ *Sūrat At-Tawbah*, 40

⁴³⁶ Narrated by Al-Bukhārī, *Hadīth* #3,653

⁴³⁷ Narrated by Al-Bukhārī, *Hadīth* #3,906

the camp of the Confederates (*Al-Ah'zāb*) and he sent Az-Zubayr as a reconnoiterer alone, and other than that, from what is affirmed in the authentic *Hadīths*.

- And from that, was the concealing by Nu'aym Ibn Mas'ūd of his *Islām*, until he sowed dissension between the Confederates (*Al-Ah'zāb*) and (the tribe of) Quraythah on the day of (the battle of) *Al-Ah'zāb*: “Ibn Is'hāq said, ‘Nu'aym Ibn Mas'ūd came to the Messenger of Allāh and said, ‘O Messenger of Allāh, I have entered into *Islām* and my people do not know about my *Islām*. So order me with whatever you wish.’ So the Messenger of Allāh said, ‘Verily, you are but a single man from us, so deceive for us if you are able, because verily, the war is deception.’”⁴³⁸

And *Shaykh Al-Islām*, Ibn Taymiyyah mentioned that it is permitted, and furthermore, that it may even be obligatory to imitate the *Mushrikīn* from the outward appearances, such as the clothing and the likes of it, for these types of benefits. He, may Allāh be merciful to him, said, “And from that which clarifies this, is that all of what has come from imitating them was only before the *Hijrah*, then that became abrogated, because the Jews at that time did not differentiate themselves from the Muslims in hairstyle, nor in clothing, nor in a symbolic (appearances), nor in other than that.”

‘Then is was confirmed after that, by the Book and the *Sunnah* and the consensus (*Ijmā'*), which became completely apparent during the time of ‘Umar Ibn Al-Khattāb, may Allāh be pleased with him,

⁴³⁸ “*Al-Bidāyah Wan-Nihāyah*”, Vol. 4/111 & “*Fat'h Al-Bārī*”, Vol. 7/402

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that which Allāh legislated from being different from the disbelievers and being different than them in the unique characteristics and the outer (appearances).’

‘And the reason for this, is that being different than them would not be except with the dominance of the religion and its superiority, like in the *Jihād* and implementing the *Jizyah* and the humiliation upon them. Therefore, when the Muslims, in the beginning of the matter, were weak, it was not legislated for them to be different than them. Then when the religion was completed and became dominant and superior, that became legislated.’

‘And an example of that today, would be if the Muslim were in the land of warfare (*Dār Al-Harb*) or land of disbelief (*Dār Al-Kufr*), which is not one of warfare, he would not be ordered to be different than them in the outward appearances, due to what is in that from harm upon him. Rather, it might be recommended for the man, or even obligatory on him, to participate with them at times in their outward appearances if there is a religious benefit in that from inviting them to the religion and observing their hidden matters in order to inform the Muslims of that, or in order to repel their harm from the Muslims, and the likes of that from the righteous objectives.’

‘As for in the land of *Islām* and the emigration (*Dār Al-Islām Wal-Hijrah*), which Allāh made His religion dominant in, and put the humiliation and the *Jizyah* upon the disbelievers therein, then being different than them is legislated there. And if it becomes apparent that the compliance and being different than them differs

according to time and place, then the reality of the *Hadīths* in this matter becomes clear.”⁴³⁹

I say: This is regarding that which relates to the secrecy in *Islām*, supported by the *Shari’ah*-oriented evidences. And from it, you know the error of the one who says that *Islām* does not approve of the secret operations. And from that which is regrettable, is that some of the ones who go forth in the *Islāmic Da’wah*, object to others regarding the secrecy. And this objection indicates that the preparation for the *Jihād* in the Path of Allāh, did not even cross the minds of those who are objecting. Otherwise, they would have understood the meaning of secrecy, so contemplate this.

He, the Most High, said:

And if they had intended to march out, certainly, they would have made some preparation for it...⁴⁴⁰

This is the end of what we will mention in this section: “The War is Deception”.

Section 19: And the Martyrdom Is Not Sought For Its Own Sake, Rather It Is To Make The Religion Dominant

⁴³⁹ “*Iqtidhā’ As-Sirāt Al-Mustaqīm*”, by Ibn Taymiyyah, Vol. 1/418-419, with the (*Hadīth*) verification (*Tah’qīq*) of Dr. Nāṣir Al-‘Aql, publication 1404 H.

⁴⁴⁰ *Sūrat At-Tawbah*, 46

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And it is also possible to phrase this section this way: “And the original objective of the *Jihād* is to make the religion dominant, not the martyrdom”.

And regarding the virtue of the martyrdom, it is narrated:

His, the Most High’s, statement:

Verily, Allāh has purchased of the believers their lives and their properties; for the price that theirs shall be the Paradise.
⁴⁴¹

And from Abī Hurayrah, may Allāh be pleased with him, that the Messenger of Allāh said, “Allāh has Assigned for the one who went out in His Path; Nothing sends him out except for faith in Me and his belief (Tasdeeq) in My Messenger that I will return him with what he attains from rewards or war booty, or that I shall enter him into the Paradise (Al-Jannah). And if it were not that I would make a hardship on my nation, then I would not have remained behind any platoon. And I wish that I would be killed in the Path of Allāh, then brought back to life, then killed and brought back to life, then killed.”⁴⁴²

And from Anas, may Allāh be pleased with him, that the Messenger of Allāh said, “No one who entered Paradise would like to return to this life and have whatever is upon the Earth, except for the martyr (Shahīd). He wishes to return to this life and then be killed ten times (over), due to what he sees

⁴⁴¹ *Sūrat At-Tawbah*, 111

⁴⁴² Agreed upon

*from the virtue.”*⁴⁴³ And the meaning of the *Hadīth* is that whoever enters the Paradise (*Al-Jannah*), would not like to return to this life, even if he were to own everything that is upon the Earth, due to the greatness of what he discovered from the virtues of the Paradise. And in the *Hadīth*: “*The area (the size) of a whip in the Paradise is better than this entire life and all it contains.*”⁴⁴⁴ Except the *Shahīd*, as he would love to return to this life then be killed time after time, in the Path of Allah, so that the great status that he attains in the Paradise will be increased. And due to that, Ibn Hajar said, “Ibn Battāl said, ‘This *Hadīth* is the greatest of what has come regarding the virtue of the martyrdom.’”⁴⁴⁵

And here we must point out a number of matters, which relate to the martyrdom. And they are; firstly, the affect of the love for the martyrdom upon the victory. Secondly, the disease of recklessness. Thirdly, the disease of cowardice. Fourthly, the disease of reluctance.

Firstly: The Affect of the Love for the Martyrdom Upon the Victory

The aspiration for martyrdom and being zealous for it, is from the greatest of what would push the believer to advance in the battle. And from here, the martyrdom is the ticket for the victory in this life, as it is the insurance for the entrance into the Paradise in the Hereafter. He, the Most High, said:

⁴⁴³ Agreed upon

⁴⁴⁴ Narrated by Al-Bukhārī from Sahl Ibn Sa'd

⁴⁴⁵ “*Fat'h Al-Bārī*”, Vol. 6/33

Verily, Allāh has purchased of the believers their lives and their properties; for the price that theirs shall be the Paradise.
⁴⁴⁶

And being zealous for the martyrdom covers the lacking of numbers and material – as is common – amongst the Muslims, just as this enthusiasm terrorizes their enemies, particularly when you realize that your enemy is completely opposite to that because the disbeliever is from the most severely zealous people for this life. As He, the Most High, said:

Say to (them): “If the home of the Hereafter with Allāh is indeed for you specially and not for others, of mankind, then long for death if you are truthful.” But they will never long for it because of what their hands have sent before them. And Allāh is All-Aware of the *Thālimīn*. And verily, you will find them the greediest of mankind for life and (even greedier) than those who - ascribe partners to Allāh. Every one of them wishes that he could be given a life of a thousand years. But the grant of such life will not save him even a little from (due) punishment.⁴⁴⁷

So contemplate His, the Most High’s, statement: **But they will never long for it ...** And: **And verily, you will find them the greediest of mankind for life...** and compare this with the

⁴⁴⁶ *Sūrat At-Tawbah*, 110 (in the original, but the correct is 111)

⁴⁴⁷ *Sūrat Al-Baqarah*, 94-96

Prophet ﷺ's statement in the aforementioned *Hadīth* of Anas: "...except for the martyr (*Shahīd*). He wishes to return to this life and then be killed ten times (over), due to what he sees from the virtue." So the enthusiasm of the believer for death and the martyrdom is proportional to the fear of the disbeliever of death and his enthusiasm for this life.

And due to this, the understanding of the martyrdom and its virtues must be put into the minds of the Muslims and strengthening this understanding with the faith-oriented preparation, while studying the history of the *Sahābah* and the righteous predecessors (*As-Salaf As-Sālih*) in the battles. And I shall mention again here, the importance of discarding luxury, while becoming accustomed to living in rough conditions – even if the individual is able to have this (luxurious) life – as these rough conditions have their effects upon the patience during the battle.

And here, we must point out that the love of the martyrdom is a part of the politics of deterrence, which is a fundamental from the most important fundamentals of the *Jihād*, amongst the Muslims. The Messenger of Allāh ﷺ said, "*I have been granted the victory, due to the fear (of the enemy, up to the distance of) a month's journey.*"⁴⁴⁸

And the fundamental of the deterrence becomes implemented by acting upon two axis:

1. The axis of the quantity: "The Horizontal axis" and it was what was narrated in His, the Most High's, statement:

⁴⁴⁸ Narrated by Al-Bukhārī from Jābir, with considering that it (i.e. the fear of the enemy of the Muslims) is not restricted (i.e. to the Prophet ﷺ)

And make ready against them all you can of power, including steeds of war, with which to terrorize the enemy of Allāh and your enemy, and others besides whom, you may not know but whom Allāh does know. And whatever you shall spend in the Cause of Allāh shall be repaid unto you, and you shall not be treated unjustly.⁴⁴⁹

And the deterrence in this verse is clear in His, the Most High's, statement: ...with which to terrorize... and its means is the strength and the individual components of this strength is money and men and weapons.

2. The axis of the method: "The Vertical axis", and it has two halves; a material half through raising the fighting ability of the Muslim individual – he said, "The strong believer is superior and more beloved to Allāh than the weak believer."⁴⁵⁰ – and a mental half, by putting the understandings of the love of achieving martyrdom and the patience within the selves of the Muslims. He, the Most High, said:

⁴⁴⁹ *Sūrat Al-Anfāl*, 60

⁴⁵⁰ Narrated by Muslim from Abī Hurayrah

Endure and be more patient (than your enemy), and guard your territory by stationing army units permanently at the places from where the enemy can attack you...⁴⁵¹

And He, the Most High, said:

...if you are suffering (hardships) then surely, they (too) are suffering (hardships) as you are suffering, but you have a hope from Allāh (for the reward, i.e. Paradise) that for which they hope not...⁴⁵²

And the Messenger of Allāh said, “*And know that the victory is with the patience.*”⁴⁵³

And I will remind again – while we are still speaking about the topic of the faith-oriented preparation – that the fear of Allāh, the Powerful, the Majestic, by performing acts of obedience and abandoning acts of disobedience has a direct affect in the field of fighting, and Allāh, the Most High has carried the pious ones (*Muttaqīn*) by shaking their enemy, as He, the Most High, said:

I will cast terror into the hearts of those who have disbelieved...⁴⁵⁴

⁴⁵¹ *Sūrat Al-‘Imrān*, 200

⁴⁵² *Sūrat An-Nisā'*, 104

⁴⁵³ **Trans. Note:** Narrated by Ahmad from ‘Abdullāh Ibn ‘Abbās, may Allāh be pleased with them. *Shaykh Al-Albānī* declared it “*Sahīh*” in “*Kitāb As-Sunnah*” #315, and in “*Sahīh Al-Jāmi'*” #6806 and in “*Silsilat Al-Ahādīth As-Sahīhah*” #2382. Ibn Rajab said: “Its *Isnād* (chain of narration) is *Hasan*, there is no problem with it.” “*Rasaa’il Ibn Rajab*” 3/91. All with very similar phrasings.

And He, the Most High, said:

And if those who disbelieve fight against you, they certainly would have turned their backs, then they would have found neither a *Wali* (protector) nor a helper. That has been the Way of Allāh already with those who passed away before. And you will not find any change in the Way of Allāh.⁴⁵⁵

And due to this, the piety (*Taqwa*) and the righteous deeds are a part that can not be separated from the politics of the deterrence. And this understanding was clear and established in the minds of the first generation from this nation, as it was made clear from the letter of ‘Umar to Sa’d Ibn Abī Waqqās, may Allāh be pleased with them, in his journey to battle the Persians. And I mentioned part of it previously.

Secondly: The Disease of Recklessness

The martyrdom is not sought solely for its sake, except in circumstances, which will be mentioned. Rather, it is to make the religion dominant. Yet there is nothing wrong with aspiring for the martyrdom and risking one’s self for it, by endangering the self in the fighting, as long as the martyrdom is not the first goal of this endangerment. Instead, the first goal is to make the religion dominant, and put another way, it should not be that the Muslim attacks in the battle only for the martyrdom, without considering

⁴⁵⁴ *Sūrat Al-Anfāl*, 12

⁴⁵⁵ *Sūrat Al-Fat’h*, 22-23

what harm he will inflict upon the enemy. And the evidence for this is:

- The statement of the Prophet ﷺ, “*Whoever fights so that the Word of Allāh will be the highest, then he is in the Path of Allāh.*”⁴⁵⁶ So he ﷺ made the objective of the *Jihād* to be raising the Word of Allāh, not the martyrdom, which may take place or may not take place. And it would not take place, except for the one whom Allāh, the Most High, has chosen for this status. He, the Most High, said:

And He takes martyrs from among you.⁴⁵⁷

- Allāh, the Most High’s, statement:

Then fight in the Cause of Allāh, you are not tasked (held responsible) except for yourself, and incite the believers (to fight along with you), it may be that Allāh will restrain the evil might of the disbelievers.⁴⁵⁸

So He, Glory be to Him, ordered the fighting in order to repel the evil might of the disbelievers. And He, Glory be to Him, ordered in other verses, to repel the tribulation (*Fitnah*) of the disbelievers:

⁴⁵⁶ Agreed upon

⁴⁵⁷ *Sūrat Al-’Imrān*, 140

⁴⁵⁸ *Sūrat An-Nisā’*, 84

...until there is no more *Fitnah*...⁴⁵⁹

And He, Glory be to Him, ordered to inflict harm upon the disbelievers:

Fight against them so that Allāh will punish them by your hands...⁴⁶⁰

And He, Glory be to Him, made the goal of the *Jihād* to be the making of His true religion to be dominant, as He, the Most High, said:

It is He Who has sent His Messenger with guidance and the religion of truth (*Islām*), to make it dominant over all religions even though the *Mushrikūn* (polytheists, pagans, idolaters, disbelievers in the Oneness of Allāh) hate (it).⁴⁶¹

And He, Glory be to Him, made the battle a means for making the religion dominant, as He, the Most High, said:

⁴⁵⁹ **Trans. Note:** *Sūrat Al-Anfāl*, 39

⁴⁶⁰ *Sūrat At-Tawbah*, 14

⁴⁶¹ *Sūrat At-Tawbah*, 33

And fight them until there is no more *Fitnah* and the religion (worship) will all be for Allāh...⁴⁶²

So the original goal of the *Jihād* is making the religion dominant and not the martyrdom alone. And the goal of this, is to contain the whim of recklessness amongst the Muslims, while restoring them to the mid-point, which is the bravery. And this is between the recklessness and the cowardice. And the recklessness, which was referred to, is the going into battle for the martyrdom alone, without considering what you inflict upon your enemy. And this; even if it is permitted in certain circumstances, such as the one who is surrounded and fears being captured and therefore fights until he is killed, as in the Platoon of ‘Āsim Ibn Thābit.⁴⁶³ However, this is not the basic rule, and if the martyrdom were the main objective, then it would not be permitted to flee in order to retreat to a troop or a strategy of war, as He, the Most High, said:

And whoever turns his back to them on such a day - unless it be a stratagem of war, or to retreat to a troop (of his own), - he indeed has drawn upon himself wrath from Allāh. And his abode is Hell, and worst indeed is that destination!⁴⁶⁴

So with this, it becomes understood that the original goal is making the religion dominant and inflicting harm upon the enemy.

⁴⁶² *Sūrat Al-Anfāl*, 39

⁴⁶³ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/553

⁴⁶⁴ *Sūrat Al-Anfāl*, 16

Fundamental Concepts for Al-Jihād

And from the considered goals, also in the *Jihād*, is the preservation of the *Islāmic* strength, and not exposing the Muslims to destruction, without any military advantage. And due to this, it is permissible for the Muslim to flee from three or more disbelievers, as Ibn ‘Abbās said, “Whoever flees from two, then he has fled. And whoever flees from three, then he has not fled.”⁴⁶⁵ And in the letter from ‘Umar to Sa’d, may Allāh be pleased with them: “And do not send a reconnoiterer nor a platoon to a place wherein you fear a defeat or a loss or a harm.” All of this indicates that the preservation of the *Islāmic* strength is a considered goal. And even clearer than this, in the clarification of what was referred to, was the retreat of Khālid Ibn Al-Walīd with the army, during the battle of Mu’tah, to the point where the Prophet called this action of his a “*Fat’h*”.⁴⁶⁶ And that is in what Al-Bukhārī narrated from Anas that he said, “The Prophet

announced the death Zayd and Ja’far and Ibn Ruwāhah, before the news came to them. So he said, ‘*Zayd took the flag, then was struck. Then Ja’far took it and he was struck. Then Ibn Ruwāhah took it and he was struck*,’ then his eyes welled up (i.e. with tears). ‘*Until a sword, from the swords of Allāh took it, until Allāh opened up for them.*’” Ibn Hajar said, “The people of the *Naql* (revealed texts) differed about the meaning of his statement: ‘...until Allāh opened up for them.’” – until he (i.e. Ibn Hajar) said – “Al-‘Imād Ibn Kathīr said, ‘The reconciliation is possible that when Khālid pulled the Muslims back and spent the night and then awoke in the morning to (discover that) the position of the army had changed, as it has passed, and the enemy thought that the reinforcement had come to them. So when Khālid attacked them at that instant, they

⁴⁶⁵ Narrated by Al-Bayhaqī and Al-Albānī authenticated it, “*Irwā’ Al-Ghalīl*”, Vol. 5/28

⁴⁶⁶ **Trans. Note:** “*Fat’h*”: victory, triumph, conquest, etc.

turned back but he did not pursue them as he felt that returning with the Muslims was the greatest war booty.”⁴⁶⁷ I say: So this clarifies that the preservation of the Muslims and the *Islāmic* strength is a considered goal and that it is obligatory not to risk the destruction of the Muslims without any military advantage from inflicting harm upon the enemy, keeping in mind that there are various exceptions to this (rule). From them, is the permissibility of an individual risking himself for the martyrdom, and this is not considered to be throwing oneself to destruction, as in the two *Hadīths* of Abū Ayyūb and Al-Barā’, which were narrated in the *Tafsīr* of His, the Most High’s, statement:

...and do not throw yourselves into destruction...⁴⁶⁸

And even if this is permissible for the individual, it is not permissible for the entire army, due to the aforementioned evidences. And an exception to this also, is if the death is guaranteed by remaining in position against the enemy as well as in fleeing from them. In that case, to remain in position is better.⁴⁶⁹

And from an operational point of view, it is possible for me to say that it is for the Muslim to advance and to participate in any battle operation, without looking to what will be inflicted upon him or without looking to the result of this battle operation with four conditions. And they are:

⁴⁶⁷ “*Fat’h Al-Bārī*”, Vol. 7/513-514

⁴⁶⁸ Trans. Note: *Sūrat Al-Baqarah*, 195

⁴⁶⁹ Look to “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/553-554

The First: Its Compliance with the (*Islāmic*) Legislation. And that comes by knowing the ruling upon this *Jihād*; is it obligatory as well as in compliance with the (*Islāmic*) legislation, or not? And this would basically be by knowing the condition of the enemy and the ruling of Allāh, the Most High, concerning it. And I will mention in the Third Appendix, by the permission of Allāh, the Most High, that this is from the knowledge, which is obligatory upon the Muslim individual (to have).

The Second: The Banner. It is not sufficient for your enemy to be a disbeliever (*Kāfir*) who deserves to be fought. Rather, it is obligatory upon you, if you are going to fight this enemy alongside a group, to know the banner of this group and its identity. Is it an *Islāmic* banner or not? And if we say ‘*Islāmic*’, we mean purely *Islāmic*; not mixed with any disbelief (*Kufr*), such as Socialism or Democracy or other than that from the disbelieving schools of thought. So if the people of that banner say that they are working in order to establish an *Islāmic* Socialist system or an *Islāmic* Democracy, then all of this is disbelief (*Kufr*), because *Islām* is a complete system. He, the Most High, said:

This day, I have perfected your religion for you...⁴⁷⁰

Therefore, *Islām* is not in need of these manmade fabrications. And whoever tries to integrate *Islām* into these manmade fabrications, then he is saying with the tongue of his condition (i.e. by his actions), and he may even openly declare it, that *Islām* is incomplete and that we need to complete it with this manmade system. And all of this is disbelief (*Kufr*), as it has passed within

⁴⁷⁰ *Sūrat Al-Mā’idah*, 3

“The Fundamentals For Holding Steadfast to the Book and the *Sunnah*”. And the way in which it is disbelief (*Kufr*), is that it is a denial of the truthfulness (*Tak’thīb*) of His, the Most High’s, statement: **This day, I have perfected your religion for you...** So the likes of these mixed banners; it is not permitted to fight beneath them in any circumstances, because in reality you are supporting a banner of disbelief (*Kufr*) and you are not in the Path of Allāh in anyway. He said, “*Whoever fights so that the Word of Allāh is the highest, then he is in the Path of Allāh.*”⁴⁷¹

The Third: The Military Advantage. So it is not permitted to advance for the battle except after studying the military advantage of it, because the original purpose for the *Jihād* is to make the religion dominant. And the military operation may be a branch and its advantage is a small amount, except that it blends in with the overall military strategy, such as the platoons, which are deployed by the *Amīr*. Or the advantage may be merely political (in nature), such as terrorizing the enemy. And all of this is considered, and the source in determining the advantage of the battle, is the *Amīr* and not all of the soldiers, as it was approved earlier in the matter of “The Consultation (The *Shūra*)”, as well as in the matter of “The Unity of the Group (The *Jamā’ah*)”, and it will come in the Fifth Chapter relating to how the issues of deductive reasoning are left to be decided by the *Amīr*. And he said, “*Verily, the Imām is only a shield. He is fought behind and protection is sought with him.*”⁴⁷² And Ibn Qudāmah said, “And the issue of the *Jihād* is entrusted to the *Imām* and his deductive reasoning (*Ijtihād*). And it is upon the herd to obey him in that which he sees concerning that (matter).”⁴⁷³

⁴⁷¹ Agreed upon

⁴⁷² Narrated by Muslim

⁴⁷³ “*Al-Mughnī Wash-Sharh’ Al-Kabīr*”, Vol. 10/373

The Fourth: Taking Precautions in Safety and Security. And that could be through placing security around the targets and the army. Or it might be through using the methods of deception. Or it could also be by taking the precautions of personal safety, such as wearing body armor and helmets or by digging trenches or the likes of that, just as the Messenger of Allāh ﷺ did. He wore armor and a helmet; “*Mighfar*”, and he dug the trench, despite the fact that he was protected from the harm of the people. He, the Most High, said:

And Allāh will protect you from mankind.⁴⁷⁴

So he only did so as a legislation for us (to follow) and if the killing and the wounds are by the decree of Allāh, the Most High, then the obligation is to repel this decree with the legislated precautions, which are also from the decree of Allāh, the Most High, and not to surrender to being killed or wounded. Otherwise, it would be necessary for the one who says this saying to surrender to the disbelieving (*Kāfir*) enemy also, as this enemy is also from the decree of Allāh, the Most High. Therefore, the obligation is to repel (them). And regarding this rule: “The Rule of Repelling the Decree by the Decree”, Ibn Al-Qayyim said, “And the knowledgeable leader, the *Shaykh*, ‘Abdul-Qādir Al-Jaylānī said, ‘If the people come to (the subject of) the judgment and the decree (*Al-Qadhbā’ Wal-Qadr*) they stop, except for me, as I have had opened for me a small window regarding it, so I opposed the decrees of Al-Haqq, with the truth for Al-Haqq. And the man is the

⁴⁷⁴ *Sūrat Al-Mā’idah*, 67

one who opposes the *Qadr*, not the one who surrenders to the *Qadr*. And the benefits of the slaves would not be fulfilled in their livelihood, except by repelling each decree with another (decree). So how about in their return (i.e. the hereafter)?'

'And Allāh, the Most High, ordered that the bad things, which are from His decree, be repelled with the good things, which are (also) from His decree. Similarly, the hunger is from His decree and He ordered that it be repelled by eating, which is (also) from His decree. And if the slave surrenders to the decree of hunger, while he was able to repel it by the decree of eating, to the point where he dies, then he dies in disobedience. And likewise, is the cold and the heat and the thirst. All of them are from His decree and He ordered that they be repelled by (other) decrees, which oppose them. And that which repels, as well as that which is repelled and the repelling (itself), are (all) from His decree.'

'And the Prophet clarified this meaning with complete clarity, as they (i.e. the companions) said, 'O Messenger of Allāh, do you see medicines, which we use as remedies, and the *Ruqyahs*, ⁴⁷⁵ which we perform *Ruqyah* with, and protections, which we seek protection with; do they repel anything from the decree of Allāh?' He said, '*They are from the decree of Allāh.*' "
⁴⁷⁶

⁴⁷⁵ **Trans. Note:** *Ruqyah*: The reciting of *Āyāt* and specific supplications for the reason of healing sicknesses or protection from the evil eye, etc.

⁴⁷⁶ **Trans. Note:** Narrated by Ibn Mājah and Ahmad from Abū Khuzāmah. And Al-Albānī declared it as "Dha'īf (Weak)" in "Dha'īf Ibn Mājah" #749

‘And in another *Hadīth*, ‘Verily, the supplication and the trials struggle (with each other) between the heavens and the Earth.’⁴⁷⁷ And if the enemy from the disbelievers approaches a country of *Islām*, they approach it by the decree of Allāh. Is it allowed for the Muslims to surrender to the decree and abandon repelling it with a decree like it – which is the *Jihād*, with which they repel that decree of Allāh with His (other) decree?’⁴⁷⁸ And *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, mentioned similar in commenting upon the words of the *Shaykh*, ‘Abdul-Qādir Al-Jaylānī as well.⁴⁷⁹ I say: Repelling the decree by the decree is a rule approved in the (*Islāmic*) legislation; established amongst the Muslims since the time of the companions, may Allāh be pleased with them. This is indicated by the response of ‘Umar Ibn Al-Khattāb to Abū ‘Ubaydah, may Allāh be pleased with them. And that was when ‘Umar came to Ash-Shām and he found that the plague had broken out there. So ‘Umar took consultation with the people. Then he intended to return. Then ‘Abdur-Rahmān Ibn ‘Awf informed him that the Prophet ordered the likes of this. And that was in what Al-Bukhārī narrated from Ibn ‘Abbās, may Allāh be pleased with them. And in it: “So ‘Umar called out amongst the people, ‘Verily, I will ride out in the morning so do the same in the morning.’ So Abū ‘Ubaydah Ibn Al-Jarrāh said, ‘Are you fleeing from the decree of Allāh?’ So ‘Umar said, “If only other than you had said this, O Abū ‘Ubaydah. Yes, we flee from the decree of Allāh to the decree of Allāh.”⁴⁸⁰

⁴⁷⁷ **Trans. Note:** Narrated with a similar phrasing, and Ibn Hajar said: “In it (the chain of narration) there is Ibrāhīm, and he is *Matrūk* (Abandoned).”

“*Mukhtasar Al-Bazzār*”: 2/424

⁴⁷⁸ “*Madārij As-Sālikīn*”, Vol. 1/199-200

⁴⁷⁹ Look to “*Majmū’ Al-Fatāwa*”, Vol. 2/458

⁴⁸⁰ *Hadīth* #5,729

I say: So these four conditions: “The Compliance with the (*Islāmic*) Legislation”, “The Banner”, “The Military Advantage” and “The Precautions of Safety and Security”; if you take them and act upon them in the fighting, then go forward and trust in Allāh, the Most High. And do not be burdened by that which befalls you, nor upon that which you gain from this fighting, as this is left to Allāh, the Most High.

Thirdly: The Disease of Cowardice

And contrary to what has passed, you see that the disease of cowardice and weakness: “...*love of this life and hating the death...*” is a terminal disease, which leads to the gathering of the nations against the Muslims, just like the diners gather before their platter, as in the *Hadīth* of Thawbān. And the cure of this disease would be by the discarding luxuries, as I pointed out previously. And it would basically be by embedding the creed (*'Aqīdah*) of faith of the decree (into the Muslims) so that the Muslim knows that whatever reaches him could not been avoided from reaching him and that whatever does not reach him could never have reached him, as the times are restricted from before, and the sustenance is like this as well, and everything which befalls the slave was predestined by Allāh.

He, the Most High, said:

No calamity befalls on the earth or in yourselves but is inscribed in the Book, before We bring it into existence. Verily,

that is easy for Allāh. In order that you may not be sad over matters that you fail to get, nor rejoice because of that which has been given to you. And Allāh likes not prideful boasters.⁴⁸¹

And He, the Most High, said:

And no person can ever die except by Allāh's Leave and at an appointed term.⁴⁸²

And He, the Most High, said:

When their term is reached, neither can they delay it an hour nor can they advance it.⁴⁸³

And from Ibn Mas'ūd, may Allāh be pleased with him, that the Messenger of Allāh said, “*Verily, each of you were gathered as a creation in the womb of his mother for forty days as a droplet. Then he will be as a clot for the likes of that (i.e. forty days). Then he will be like a piece of chewed lump, for the likes of that. Then an Angel is sent to him and he blows a soul into him and is ordered with four statements. He writes his sustenance and his (life) term and his deeds and whether he will be displeased or pleased (i.e. with his position in the hereafter).*” – the Hadīth.⁴⁸⁴
And from Ibn Mas'ūd, that the Messenger of Allāh said, “*Verily, the Holy Spirit (i.e. Angel Jibrīl 'Alayhi As-Salām)*

⁴⁸¹ *Sūrat Al-Hadīd*, 22-23

⁴⁸² *Sūrat Āl- 'Imrān*, 145

⁴⁸³ *Sūrat Al- 'Arāf*, 34

⁴⁸⁴ Agreed upon

*blew into my soul that a soul will not die until its sustenance and its term is complete. So fear Allah and beautify in the requests. ”*⁴⁸⁵ So the sustenance and the term are decreed and finished with. And due to this, many of the predecessors (*Salaf*) used to dislike supplicating for a long life. As for what is narrated in the *Hadīth*: “*Whoever would like for his sustenance to be extended and for his time to be extended, then he should maintain the ties of his kinship,*” ⁴⁸⁶ then Ibn Hajar classified the more correct opinion, and others took this to be the absolute correct view, that the meaning is in the blessings (*Barakah*) in the sustenance and the life, not the increasing of what was decreed from both of them. And some narrations were mentioned to attest to this (meaning). ⁴⁸⁷ So it must be known that the *Jihād* does not bring the time (of death) nearer, nor does it prevent any sustenance.

However, this does not contradict taking permissible precautions, such as striving to attain the sustenance and wearing the armors and digging the trenches and other than that, while fighting the enemy, as the Prophet ﷺ legislated. So there is no contradiction between the faith in the decree and the performance of that which has been ordered, as it has passed.

Fourthly: The Disease of Reluctance

And what I mean by the reluctance here, is that the love for the victory becomes embedded in the selves, as He, the Most High, said:

⁴⁸⁵ Narrated Abū Nu’aym in “*Al-Hilyah* ” with an authentic chain. And Ibn Hibbān and Al-Hākim authenticated it.

⁴⁸⁶ Agreed upon

⁴⁸⁷ “*Fat’h Al-Bārī* ”, Vol. 10/415-416

And also another which you love, help from Allāh (against your enemies) and a near victory.⁴⁸⁸

And this love may develop into a disease, which makes the Muslim reluctant from taking part in the first or the second battle, out of fear that he might be killed and not live to see the day of the final victory. And this is from the ignorance regarding the reality of his obligation, as the Muslim is ordered in the (*Islamic*) legislation, to perform *Jihād* and not to establish the final victory. So equal is whether the victory is established by his hand or by the hands of his brothers or his children, as he has fulfilled his obligation through his *Jihād*, and his reward is incumbent upon Allāh, by the permission of Allāh, the Most High:

He, the Most High, said:

And whosoever leaves his home as an emigrant unto Allāh and His Messenger, and death overtakes him, his reward is then surely incumbent upon Allāh.⁴⁸⁹

So this one strove for the obligatory migration (*Hijrah*): **He who emigrates...** and did not achieve his objective and instead, the death reached him before it. Yet despite that, his reward is incumbent upon Allāh. And even clearer to this in clarifying the point:

⁴⁸⁸ *Sūrat As-Saff*, 13

⁴⁸⁹ *Sūrat An-Nisā'*, 100

He, the Most High, said:

That is because they suffer neither thirst nor fatigue, nor hunger in the Cause of Allāh, nor they take any step to raise the anger of disbelievers nor inflict any injury upon an enemy but is written to their credit as a deed of righteousness. Surely, Allāh wastes not the reward of the *Muhsinīn*. Nor do they spend anything (in Allāh's Cause) - small or great - nor cross a valley, but is written to their credit, that Allāh may recompense them with the best of what they used to do.⁴⁹⁰

So this verse did not leave anything from what the Muslim undergoes in the *Jihād* against the enemies of Allāh, except that it establishes that it is a righteous deed, and whose performer will be rewarded for it. And attaining the goal and the victory was not stipulated as a condition.

And in addition to this, it must be known that whoever performs *Jihād* and does not attain any war booty or victory, then he has a greater reward with Allāh, the Most High, than the one who did attain war booty or victory. And this is understood from the statement of the Messenger of Allāh : “*There is no battle group or platoon that battles and then takes war booty while remaining safe, except that they have taken two-thirds of their reward early. And there is no battle group or platoon, which*

⁴⁹⁰ *Sūrat At-Tawbah*, 120-121

*battles without taking war booty and is stricken, except that their rewards are fulfilled for them.”*⁴⁹¹ And likewise, is the *Hadīth* of Khabbāb Ibn Al-Aratt, may Allāh be pleased with him, that he said, “We emigrated with the Messenger of Allāh

seeking the Face of Allāh, the Most High, so our reward was incumbent upon Allāh. So from us were those who died without consuming anything from his reward. From them was Mus’ab Ibn ‘Umayr, may Allāh be pleased with him. He was killed on the Day of Uhud and he left a robe. So we covered his head with it but his feet would be uncovered and if we covered his feet, then his head would be uncovered. So the Messenger of Allāh

ordered us to cover his head and to put some lemon grass upon his feet. And from us were those whose fruits became ripened for him so he has plucked it.”⁴⁹² “...became ripened for him”, in other words, matured “plucked it.”, in other words, reaping it and this is a metaphor for what Allāh, the Most High, opened up from this life, while they were empowered in it. And the explanation of the *Hadīth* of ‘Abdullāh Ibn ‘Amr and the *Hadīth* of Khabbāb has passed and they are two clear texts in clarifying the point.

And this is the last of what comes to me regarding the issue of martyrdom.

Section 20: And There is No Victory Except From Allāh

He, the Most High, said:

⁴⁹¹ Narrated by Muslim from ‘Abdullāh Ibn ‘Amr, may Allāh be pleased with them

⁴⁹² Agreed upon

And there is no victory except from Allāh.⁴⁹³

This verse includes what is considered from the strongest forms of restriction. And that is the negation: "...is no...", which is followed by the exception: "...except..." And it indicates in this case, the restriction of the victory to Allāh, alone. Because the victory comes down by His permission alone, Glory be to Him, who has no partner, not through (large) numbers or by material (means), unless Allāh wills. And when this understanding became absent from some of the Muslims, during the battle of Hunayn, and they became pleased by their numbers, the defeat occurred so that they would understand that the numbers and the materials would not avail anything, except by the permission of Allāh. He, the Most High, said:

Truly Allāh has given you victory on many battle fields, and on the Day of Hunayn (battle) when you rejoiced at your great number but it availed you naught and the earth, vast as it is, was straitened for you, then you turned back in flight. Allāh did send down His *Sakīnah* (calmness, tranquility and reassurance, etc.) on the Messenger, and on the believers, and sent down forces (Angels) which you saw not, and punished the disbelievers. Such is the recompense of disbelievers.⁴⁹⁴

⁴⁹³ *Sūrat Āl 'Imrān*, 126 and *Sūrat Al-Anfāl*, 10

⁴⁹⁴ *Sūrat At-Tawbah*, 25-26

So He, Glory be to Him, reminded them that He gave them victory in many instances, without these (large) numbers, which pleased them, and that when they became pleased and relied upon the numbers, it did not avail them anything, and therefore they were defeated. Then Allāh gave them victory after the defeat in order to clarify to them that the victory is from Him, not by the (large) numbers, which did not avail (them). So He, Glory be to Him, returned them, by means of this defeat, to their former situation, which became absent from some of them. That matter was: **And there is no victory except from Allāh.**

And similar is His, the Most High's, statement:

O you who believe! What is the matter with you, that when you are asked to march forth in the Cause of Allāh (i.e. *Jihād*) you cling heavily to the earth?

– until His, the Most High's, statement:

If you march not forth, He will punish you with a painful torment and will replace you by another people, and you cannot harm Him at all, and Allāh is Able to do all things. If you help him not (it does not matter), for Allāh did indeed help

him when the disbelievers drove him out, the second of two,⁴⁹⁵ when they were in the cave...

So *Al-Mawla* (i.e. Allāh), Glory be to Him, incited them in going out and warned them about remaining seated and that He is able to replace them with others besides them: **...and Allāh is Able to do all things.** Then He reminded them of some of the results of His Power. And they include how He, Glory be to Him, supported His Messenger – without any (large) numbers or material (means) – over the disbelievers of Makkah, during his emigration. So He, Glory be to Him, returned them, with this also, to their former situation, which should never be absent from the minds. And that is: **And there is no victory except from Allāh.**

And like this, is His, the Most High's, statement:

You killed them not, but Allāh killed them. And you threw not when you did throw but Allāh threw...⁴⁹⁶

So He, Glory be to Him, attributed the throwing to them: **...when you did throw...**, as a reminder of the obligation of taking precautions. And He, Glory be to Him, attributed the aiming and hitting (the target) to Himself, the Majestic, the Most High: **...but Allāh killed them...but Allāh threw...**, so that He, Glory be to Him, could clarify that the victory was from Him alone, and that the successful achievement (*Tawfiq*) was from Him alone, not through the precautions, because even if they are obligatory (to take), they do not avail anything on their own.

⁴⁹⁵ *Sūrat At-Tawbah*, 38-40

⁴⁹⁶ *Sūrat Al-Anfāl*, 17

And here we have two reminders:

The First: If the victory is in the Hand of Allāh alone, then what is with Allāh, the Most High, can not be taken except through the precautions, which He legislated in this instance. And we mentioned in the beginning of the topic of “The Faith-Oriented Preparation”, that Allāh, Glory be to Him, has taken the responsibility for granting the victory to the believers who give victory to His religion. He, the Most High, said:

Thus it is incumbent upon Us to give victory to the believers.
⁴⁹⁷

And He, the Most High, said:

Verily, Allāh will help those who help His (Cause).⁴⁹⁸

And I mentioned there that two preparations are necessary: “Faith-Oriented” and “Material-Oriented”, as a condition for deserving this victory. And this means continuous striving and effort and *Da’wah* and patience. I wanted from this, to remind the heedless, lazy sitters, who wish from Allāh, the wishes and hope for victory from Allāh, while they have not supported His religion with anything, just as I wanted to remind those deviating ones who go forward in *Islāmic* works, while not taking the path of the specified

⁴⁹⁷ **Trans. Note:** *Sūrat Ar-Rūm*, 47

⁴⁹⁸ **Trans. Note:** *Sūrat Al-Hajj*, 40

Jihād, nor do they take the precautions, which Allāh has legislated for the victory of His religion. He, the Most High, said:

And whoever desires the Hereafter and strives for it, with the necessary effort due for it, while he is a believer, then such are the ones whose striving shall be appreciated.⁴⁹⁹

The Second Reminder: It is for those who despair from the mercy of Allāh; those who have become hopeless that the Muslims will rise up from that which they are in from humiliation and weakness. Those who have become hopeless that the Muslims will be able to overpower the forces of *Kufr* which lay in wait for them now. You can see one of them saying, “How will a state be established for the Muslims, while most of countries currently are subdued by America and Russia?” And he says that the great disbelieving states control the food and the weapons and they own the missiles, which travel across continents and the weapons that are setup in the sky to put in place anyone who leaves from beneath their servitude. And he says that their intelligence equipment on the land and their satellites in the sky know every movement and every whisper, so how can the work and the *Jihād* be possible for us? “They will destroy any word (i.e. plan) in its cradle (i.e. its infancy).” And he says, “How can a state be established for the Muslims, when the International Monetary Fund and the World Bank can destroy the economy of any state in mere hours?” and other than that from the statements weighing down the Muslims and crushing their support and making them give in to the current state of affairs. And from that which is regrettable is that these lies are spread by some of those who go out in *Islāmic Da’wah*

⁴⁹⁹ *Sūrat Al-Isrā’*, 19

nowadays. And due to that, do not find their humiliated positions regarding the *Tawāghīt* and regarding the various powers of disbelief, as strange.

As for us, we say that whoever thinks that the international forces of disbelief, with all their abilities, could possibly stand in the way of the establishment of a state for the Muslims, which is *Islāmic* in its appearance as well as in reality, then he has clearly gone far astray. Rather, he belies the truthfulness of the verses of Allāh, the Most High, and His truthful promise.

He, the Most High, said:

Certainly no one despairs of Allāh's Mercy, except the people who disbelieve.⁵⁰⁰

And He, the Most High, said:

And there is no victory except from Allāh.⁵⁰¹

So the victory is neither in the hand of America nor in the hand of Russia. And He, the Most High, has said:

Whatever of mercy (i.e. of good), Allāh may grant to mankind, none can withhold it, and whatever He may withhold, none can grant it thereafter.⁵⁰²

⁵⁰⁰ *Sūrat Yūsuf*, 87

⁵⁰¹ *Sūrat Āl- 'Imrān*, 126 & *Sūrat Al-Anfāl*, 10

And whatever strength the international forces of disbelief attain, they will never leave out from beneath the power of Allāh, Majestic, and Most High. And He, the Most High, has said:

And let not those who disbelieve think that they can outstrip (escape from the punishment). Verily, they will never be able to save themselves (from Allāh's Punishment). And make ready against them all you can of power...⁵⁰³

Verily, they are never out of (range) from the power of our Lord nor will they outstrip His decree or His plan. And verily, Allāh is with His believing supporters, granting them victory over their enemy. He, the Most High, said:

This (is the fact) and surely, Allāh weakens the deceitful plots of the disbelievers. (O disbelievers) if you ask for a judgment, now has the judgment come unto you and if you cease (to do wrong), it will be better for you, and if you return (to the attack), so shall We return, and your forces will be of no avail to you, however numerous it be, and verily, Allāh is with the believers.⁵⁰⁴

⁵⁰² *Sūrat Fātir*, 2

⁵⁰³ *Sūrat Al-Anfāl*, 59-60

⁵⁰⁴ *Sūrat Al-Anfāl*, 18-19

And He, the Most High, said:

That is because Allāh is the *Mawla* (Lord, Master, Helper, Protector, etc.) of those who believe, and the disbelievers have no *Mawla*.⁵⁰⁵

And the *Mawla*, Majestic be His Might, ordered us to prepare that which we are able to from power. This is our obligation and our job. Then He, Glory be to Him, took the responsibility of granting us victory, as He, Glory be to Him, said to His Prophet

, “*And battle them, We shall battle alongside you. And spend, as We shall spend upon you. And deploy an army, as We shall deploy five (armies) like it.*”⁵⁰⁶ Just as He, Glory be to Him, took responsibility to humiliate the disbelievers, as He, the Most High, said:

This (is the fact) and surely, Allāh weakens the deceitful plots of the disbelievers.⁵⁰⁷

And He, the Most High, said:

So fight you against the *Awliyā'* of *Shaytān* (Satan); Ever feeble indeed is the plot of *Shaytān* (Satan).⁵⁰⁸

⁵⁰⁵ *Sūrat Muhammad*, 11

⁵⁰⁶ Narrated by Muslim from ‘Iyādh Ibn Himār

⁵⁰⁷ *Sūrat Al-Anfāl*, 18

⁵⁰⁸ *Sūrat An-Nisā'*, 76

And He, Glory be to Him, took the responsibility of assisting us, as He, Glory be to Him, said:

And other (victories and much booty there are, He promises you) which are not yet within your power, indeed Allāh compasses them, And Allāh is Ever Able to do all things.⁵⁰⁹

Verily, those who are intimidated by the soldiers of the disbelievers and their armies have forgotten the statement of Allah, the Most High:

And to Allāh belong the armies of the heavens and the earth. And Allāh is Most Majestic, All-Wise.⁵¹⁰

And verily, those who are intimidated by the wealth of the disbelievers and their control, have forgotten the statement of Allāh, the Most High:

And to Allāh belongs the treasures of the heavens and the earth, but the hypocrites comprehend not.⁵¹¹

And verily, those who are intimidated by the fortresses of the disbelievers and their instruments of defense have forgotten the statement of Allāh, the Most High:

⁵⁰⁹ *Sūrat Al-Fat'h*, 21

⁵¹⁰ *Sūrat Al-Fat'h*, 7

⁵¹¹ *Sūrat Al-Munāfiqūn*, 7

And they thought that their fortresses would defend them from Allāh! But Allāh's (Torment) reached them from a place whereof they expected it not, and He cast terror into their hearts, so that they destroyed their own dwellings with their own hands and the hands of the believers. Then take admonition, O you with eyes (to see).⁵¹²

And they forgot the statement of Allāh, the Most High:

And those of the people of the Scripture who backed them (the disbelievers) Allāh brought them down from their forts and cast terror into their hearts, (so that) a group (of them) you killed, and a group (of them) you made captives. And He caused you to inherit their lands, and their houses, and their riches, and a land which you had not trodden (before). And Allāh is Able to do all things.⁵¹³

And verily, those who are intimidated by the intelligence (abilities) of the disbelievers, have forgotten the statement of Allāh, the Most High:

⁵¹² *Sūrat Al-Hashr*, 2

⁵¹³ *Sūrat Al-Ah'zāb*, 26-27

But Allāh ever encompasses the disbelievers.⁵¹⁴

And His, the Most High's, statement:

And Allāh is Ever Encompassing all things.⁵¹⁵

And His, the Most High's, statement:

....and Allāh is *Muhibutun* (encircling and thoroughly comprehending) all that they do.⁵¹⁶

And ‘Abdul-Muttalib – despite his disbelief – was more knowledgeable about Allāh and His power, than those people. And that was when he said to Abrahah, “Verily, the House (i.e. the *Ka’bah*) has a Lord who shall protect it.” And when the army of Abrahah was destroyed by the flocks of birds, and some of them fled due to fear, their guide said:

‘Where is the one who flees and the seeking god and Al-Ashram is the beaten not the victorious’ And Al-Ashram is Abrahah.⁵¹⁷

He, the Most High, said:

⁵¹⁴ *Sūrat Al-Baqarah*, 19

⁵¹⁵ *Sūrat An-Nisā’*, 126

⁵¹⁶ *Sūrat Al-Anfāl*, 47

⁵¹⁷ “*Sīrat Ibn Hishām*”, Vol. 1/33-35; publication of “Subayh”

And (with) Fir'awn (Pharaoh), who had pegs (who used to torture men by binding them to pegs)? Who did transgress beyond bounds in the lands (in the disobedience of Allāh). And made therein much mischief. So your Lord poured on them different kinds of severe torment. Verily, your Lord is Ever Watchful (over them).⁵¹⁸

How many did Pharaoh kill from the sons of the Children of Israel, out of fear for his self and his kingdom, and then he ended up raising in his home, the very one (i.e. Mūsa, *'Alayhi As-Salām*) upon whose hands his kingdom was destroyed. And the warning does not avail with regards to the *Qadr* (Predestination). And Allāh is all-encompassing around them. He, the Most High, said:

And Allāh has full power and control over His Affairs, but most of men know not.⁵¹⁹

And He, the Most High, said:

Allāh has decreed: "Verily! It is I and My Messengers who shall be the victorious." Verily, Allāh is All-Powerful, All-Mighty.⁵²⁰

⁵¹⁸ *Sūrat Al-Fajr*, 10-14

⁵¹⁹ *Sūrat Yūsuf*, 21

⁵²⁰ *Sūrat Al-Mujādilah*, 21

Verily, the fortresses of the disbelievers, will never protect (them) from Allāh and verily, the armies will never benefit (them) from His attack. And verily, the money will never intercede with Him (on their behalf) and verily, the plotting and the deception will never repel His power. He, the Most High, said:

They plotted and planned, but We too planned, even while they perceived it not. Then see what was the end of their plot!- this, that We destroyed them and their people, all (of them). Now such were their houses, - in utter ruin, - because they practiced wrong-doing. Verily in this is a Sign for people of knowledge.
⁵²¹

And I will remind again, that our failure is due to internal reasons in the first place:

...but whatever of evil befalls you, is from yourself.⁵²²

And that it is a must for the change to start from inside ourselves. He, the Most High, said:

Verily! Allāh will not change the condition of a people until they change what is in themselves.⁵²³

⁵²¹ *Sūrat An-Naml*, 50-52

⁵²² **Trans. Note:** *Sūrat An-Nisā'*, 79

Verily, Allāh, the Most High, only empowered the disbelievers over us, due to what we have committed from His disobedience, just as He empowered the disbelieving Magians (*Majūs*) over the Children of Israel, when they committed that which angered Allāh. He, the Most High, said:

They entered the very innermost parts of your homes. And it was a promise (completely) fulfilled.⁵²⁴

And it is a necessity for the change and the rectification (to take place, to have) three matters: The correct methodology, and truthfulness in following this methodology and sincere intention in all of this.

And I have attempted to clarify the concepts of this correct methodology, in that which I see – and Allāh, the Most High, knows best – in this treatise, as I mentioned it in “The Fundamentals of Holding Steadfast to the Book and the *Sunnah*”- “The Methodology of *Ahl As-Sunnah Wal-Jamā’ah*” and as I mentioned it in “The Fundamental Concepts for *Al-Jihād*”.

This, and Allāh, the Most High, said:

Verily, We will indeed make victorious Our Messengers and those who believe in this world's life and on the Day when the witnesses will be brought forth.⁵²⁵

⁵²³ Trans. Note: *Sūrat Ar-Ra’d*, 11

⁵²⁴ *Sūrat Al-Isrā’*, 5

This is a truthful promise in which there is no doubt. And Allāh, the Most High, said:

Surely, Allāh's Mercy is (ever) near unto the good doers (*Muhsinīn*).⁵²⁶

⁵²⁵ *Sūrat Ghāfir*, 51

⁵²⁶ *Sūrat Al-A'rāf*, 56